

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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Washington, Thursday, March 4, 1948

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives
[Order 477]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS

Sections 70.90, 70.90-50, and 70.90-51 of Title 6, Code of Federal Regulations are hereby amended to read as follows:

§ 70.90 *Interest rate on continental loans for financing operations.* The per annum rate of interest on all loans, other than upon the security of commodities, made on and after the dates stated below, by the district banks for cooperatives, for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e), shall be as follows:

Rate (per-cent)	Effective date	District bank for cooperatives
2½	Feb. 24, 1939	Springfield, Louisville, St. Paul, and Omaha.
2¾	Sept. 15, 1947	Columbia.
3¼	Dec. 1, 1947	St. Louis.
3	Feb. 1, 1948	Spokane.
3	Mar. 1, 1948	New Orleans and Houston.
3	Apr. 1, 1948	Baltimore, Wichita, and Berkeley.

§ 70.90-50 *Interest rate on continental commodity loans.* Except as specified in § 70.90-51, the per annum rate of interest on all loans made upon the security of commodities on and after the dates stated below by the district banks for cooperatives for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e), shall be as follows:

Rate (per-cent)	Effective date	District bank for cooperatives
1½	Feb. 24, 1939	Springfield, Louisville, St. Paul, and Omaha.
1¾	Sept. 15, 1947	Columbia.
2¼	Dec. 1, 1947	St. Louis.
2	Feb. 1, 1948	Spokane.
2	Mar. 1, 1948	New Orleans and Houston.
2	Apr. 1, 1948	Baltimore, Wichita, and Berkeley.

§ 70.90-51 *Interest rate on continental loans and loans made in Puerto Rico secured by Commodity Credit Corporation loan documents.* The per annum rate of interest on loans made on and after the dates stated below by the district banks for cooperatives upon the security of approved Commodity Credit Corporation loan documents, shall be as follows:

Rate (per-cent)	Effective date	District bank for cooperatives
1½	June 30, 1947	Springfield, Louisville, St. Paul, and Omaha.
1¾	Sept. 15, 1947	Columbia.
1¾	Dec. 1, 1947	St. Louis.
2	Feb. 1, 1948	Spokane.
2	Mar. 1, 1948	New Orleans and Houston.
2	Apr. 1, 1948	Baltimore, Wichita, and Berkeley.
2½	Apr. 1, 1948	Baltimore—loans in Puerto Rico.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL]

I. W. DUGGAN,
Governor.

FEBRUARY 27, 1948.

[F. R. Doc. 48-1892; Filed, Mar. 3, 1948; 8:59 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 10]

PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

PAYROLL AFFIDAVITS

Acting pursuant to the authority vested in me by the Federal Airport Act (60 Stat. 170; Public Law No. 377, 79th Cong.), I hereby amend Part 550 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 550.18 (c) (5) to read as follows:

§ 550.18 *Performance of construction work.* * * *

(c) *Construction reports.* * * *
(5) *Payroll affidavits.* The sponsor shall require that each contractor and subcontractor engaged in work at the site of the project comply with the Cope-

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land Act (Kick-back Statute), Public Law 324, 73rd Congress, approved June 13, 1934, (48 Stat. 948; 40 U. S. C. 276c) and all regulations issued thereto.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

(60 Stat. 170, Pub. Law No. 377, 79th Cong.)

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 48-1890; Filed, Mar. 3, 1948;
8:59 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Home Loan Bank Board

[No. 522]

PART 05—SPECIFIC DELEGATIONS OF AUTHORITY

AUTHORITY OF GENERAL MANAGER OF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

FEBRUARY 27, 1948.

Resolved that the following shall become effective upon publication in the FEDERAL REGISTER and shall be added as a new § 05.15 of Part 05 of Chapter I of Title 24 of the Code of Federal Regulations:

§ 05.15 *Authorizing certain approvals by General Manager, Federal Savings and Loan Insurance Corporation.* The General Manager of the Federal Savings and Loan Insurance Corporation is authorized and empowered to approve or disapprove forms of membership certificates, passbooks, and other investment contracts, constitution and bylaw provisions of applicants for insurance of accounts affecting securities and investment contracts, and amendments to the forms of such provisions of constitutions and bylaws of insured institutions, and of revised investment contracts, submitted to the Corporation for approval under the provisions of § 301.8 of the rules and regulations for insurance of accounts (24 CFR 301.8) in all cases where such forms are similar to, or deviate in a minor manner, from corresponding forms which shall have obtained the express approval of the Corporation. (Sec. 403 (b), 48 Stat. 1257, as amended, sec. 23, 49 Stat. 298, sec. 3, 60 Stat. 238; 12 U. S. C. 1726 (b), 5 U. S. C. Sup., 1002; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 48-1912; Filed, Mar. 3, 1948;
9:00 a. m.]

Chapter VIII—Office of Housing Expediter

PART 812—CONSTRUCTION LIMITATION REGULATION UNDER HOUSING AND RENT ACT OF 1947

Pursuant to authority contained in Public Law 422, 80th Congress, the Construction Limitation Regulation, as

amended August 29, 1947 issued under Public Law 129, 80th Congress, which forbids the beginning or carrying on of construction work on any kind of buildings and other structures to be used for recreational or amusement purposes, unless a construction permit is obtained from the Office of the Housing Expediter, is continued in full force and effect.

Issued this 1st day of March 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-1779; Filed, Mar. 3, 1948;
8:55 a. m.]

[Veterans' Preference Reg. as Amended July 29, 1947, Amdt. 2]

PART 813—VETERANS' PREFERENCE REGULATION UNDER HOUSING AND RENT ACT OF 1947

The Housing and Rent Act of 1947 (Public Law 129, 80th Congress) gave to veterans and their families a preference in the sale or rent of housing accommodations completed after June 30, 1947, and prior to March 1, 1948. By the enactment of Public Law 422, 80th Congress, amending the Housing and Rent Act of 1947, veterans' preference was made applicable to housing accommodations completed after June 30, 1947, and prior to April 1, 1948. It is the purpose of this amendment to conform § 813.1 (Veterans' Preference Regulation) with the Housing and Rent Act of 1947, as amended by Public Law 422, 80th Congress.

1. Section 813.1 *Veterans' Preference Regulation* is hereby amended by striking out "March 1, 1948," wherever it occurs and inserting in lieu thereof "April 1, 1948," (Pub. Law 129, 80th Cong.; Pub. Law 422, 80th Cong.).

Issued this 1st day of March 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-1780; Filed, Mar. 3, 1948;
8:55 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter I—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

FT. HALL INDIAN IRRIGATION PROJECT, IDAHO
FEBRUARY 24, 1948.

On January 22, 1948, notice of intention to amend § 130.32 was published in the daily issue of the FEDERAL REGISTER (13 F. R. 315). Interested persons were thereby given opportunity to participate in the preparing of the amendments by submitting data or arguments within 30 days from the date of publication of the notice. No communications, written or oral, having been received within the prescribed period, the said section is hereby amended and promulgated as follows:

§ 130.32 *Basic and other water charges.* In compliance with the provisions of the act of March 1, 1907 (34 Stat. 1024-25) the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership to which water can be delivered for irrigation under the Ft. Hall Indian Irrigation Project, Idaho, are hereby fixed at \$2.50 per acre for the calendar year 1948 and subsequent years until further notice.

In addition to the foregoing charge there shall be collected annually a minimum charge of \$4.50 for the first acre or fraction thereof on each tract of land for which operation and maintenance bills are prepared.

Indian lands leased, as discussed in the letter from the Commissioner of Indian Affairs of December 1, 1938, and approved by the Assistant Secretary of the Interior on December 17, 1938, are subject to the payment of the foregoing charges as therein provided. (34 Stat. 1024)

EDWARD G. SWINDELL, Jr.,
Acting District Director.

[F. R. Doc. 48-1880; Filed, Mar. 3, 1948;
8:59 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 1—GENERAL

RELEASE OF INFORMATION CONCERNING CLAIMANTS AND BENEFICIARIES FROM RECORDS OF VETERANS' ADMINISTRATION

In Part 1, §§ 1.310 through 1.331 are canceled and replaced by §§ 1.500 through 1.526.

§ 1.500 *General.* Files, records, reports, and other papers and documents pertaining to any claim filed with the Veterans' Administration, whether pending or adjudicated, will be deemed confidential and privileged, and no disclosure thereof or information therefrom will be made except in the circumstances and under the conditions set forth in §§ 1.501 through 1.526.

§ 1.501 *Release of information by the Administrator when such release would serve a useful purpose.* The Administrator of Veterans' Affairs or his designate may release information, statistics, or reports to individuals or organizations when in his judgment such release would serve a useful purpose.

§ 1.502 *Disclosure of the amount of monetary benefits.* The monthly monetary rate of pension, compensation, retirement pay, subsistence allowance or readjustment allowance of any beneficiary shall be made known to any person who applies for such information.

§ 1.503 *Disclosure of information to a veteran or his duly authorized representative as to matters concerning the veteran alone.* Information may be disclosed to a veteran or his duly authorized representative as to matters concerning himself alone when such disclosure would not be injurious to the physical or mental health of the veteran.

If the veteran be deceased, matters concerning him may be disclosed to his widow, children, or next of kin if such disclosure will not be injurious to the physical or mental health of the person in whose behalf information is sought or cause repugnance or resentment toward the decedent.

§ 1.504 *Disclosure of information to a widow, child, or other claimant.* Information may be disclosed to a widow, widower, child, or dependent parent or other claimant, or the duly authorized representative of any of these persons as to matters concerning such person alone when such disclosure will not be injurious to the physical or mental health of the person to whom the inquiry relates. If the person concerning whom the information is sought is deceased, matters concerning such person may be disclosed to the next of kin if the disclosures will not be injurious to the physical or mental health of the person in whose behalf the information is sought or cause repugnance or resentment toward the decedent.

§ 1.505 *Genealogy.* Information of a genealogical nature when its disclosure will not be detrimental to the memory of the veteran and not prejudicial, so far as may be apparent, to the interest of any living person or to the interests of the Government may be released by the Veterans' Administration or in the case of inactive records may be released by the Archivist of the United States if in his custody.

§ 1.506 *Disclosure of records to Federal Government departments and State unemployment compensation agencies.* All records or documents required for official purposes by any department or other agency of the United States Government or any state unemployment compensation agency acting in an official capacity for the Veterans' Administration shall be furnished in response to an official request, written or oral, from such department or agency. If the requesting department or agency does not indicate the purpose for which the records or documents are requested and there is doubt as to whether they are to be used for official purposes, the requesting department or agency will be asked to specify the purpose for which they are to be used.

§ 1.507 *Disclosures to members of Congress.* Members of Congress shall be furnished in their official capacity in any case such information contained in the Veterans' Administration files as may be requested for official use.

However, in any unusual case, the request will be presented to the Administrator or the solicitor, or the deputy administrator or chief attorney of a branch office for personal action. When the requested information is of a type which may not be furnished a claimant, the Member of Congress shall be advised that the information is furnished to him confidentially in his official capacity and should be so treated by him. (See § 35.11 of this chapter.)

§ 1.508 *Disclosure in cases where claimants are charged with or convicted*

of criminal offenses. (a) Where incompetent claimants are charged with, or convicted of, offenses other than those growing out of their relationship with the Veterans' Administration and in which it is desired to disclose information from the files and records of the Veterans' Administration, the chief attorney or the solicitor, if he deems it necessary and proper, may disclose to the court having jurisdiction so much of the information from the files and records of the Veterans' Administration relating to the mental condition of such beneficiaries, the same to be available as evidence, as may be necessary to show the mental condition of the accused and the time of its onset. This provision, however, does not alter the general procedure for handling offenses growing out of relations with the Veterans' Administration.

(b) When desired by a United States district court, the chief attorney or the solicitor may supply information as to whether any person charged with crime served in the military or naval service of the United States and whether the Veterans Administration has a file on such person. If the file is desired either by the court or by the prosecution or defense, it may be produced only in accord with §§ 1.501 through 1.526.

§ 1.509 *Disclosure to courts in proceedings in the nature of an inquest.* The solicitor, chief attorneys of branch and regional offices, and managers of hospitals are authorized to make disclosures to courts of competent jurisdiction of such files, records, reports, and other documents as are necessary and proper evidence in proceedings in the nature of an inquest into the mental competency of claimants and other proceedings incident to the appointment and discharge of guardians, curators, or conservators to any court having jurisdiction of such fiduciaries in all matters of appointment, discharge, or accounting in such courts.

§ 1.510 *Disclosure to insurance companies cooperating with the Department of Justice in the defense of insurance suits against the United States.* Copies of records from the files of the Veterans' Administration will, in the event of litigation involving commercial insurance policies issued by an insurance company cooperating with the Department of Justice in defense of insurance suits against the United States, be furnished to such companies without charge, provided the claimant or his duly authorized representative has authorized the release of the information contained in such records. If the release of information is not authorized in writing by the claimant or his duly authorized representative, information contained in the files may be furnished to such company if to withhold same would tend to permit the accomplishment of a fraud or miscarriage of justice. However, before such information may be released without the consent of the claimant, the request therefor must be accompanied by an affidavit of the representative of the insurance company, setting forth that litigation is pending, the character of the suit, and the purpose for which the information de-

sired is to be used. If such information is to be used adversely to the claimant, the affidavit must set forth facts from which it may be determined by the solicitor or chief attorney whether the furnishing of the information is necessary to prevent the perpetration of a fraud or other injustice. The averments contained in such affidavit should be considered in connection with the facts shown by the claimant's file, and, if such consideration shows the disclosure of the record is necessary and proper to prevent a fraud or other injustice, information as to the contents thereof may be furnished to the insurance company or copies of the records may be furnished to the court, Workmen's Compensation, or similar board in which the litigation is pending upon receipt of a subpoena duces tecum addressed to the Administrator of Veterans' Affairs, deputy administrator, or the manager of the office in which the records desired are located.

In the event the subpoena requires the production of the file, as distinguished from the copies of the records, no expense to the Veterans' Administration may be involved in complying therewith, and arrangements must be made with the representative of the insurance company causing the issuance of the subpoena to insure submission of the file to the court without expense to the Veterans' Administration.

§ 1.511 *Judicial proceedings generally.* (a) Where a suit has been threatened or instituted against the Government, other than for insurance under section 19 of the World War Veterans Act, 1924, as amended, or section 617, National Service Life Insurance Act, as amended, or a prosecution against a claimant has been instituted or is being contemplated, the request of the claimant or his duly authorized representative for information, documents, reports, etc., shall be acted upon by the solicitor in central office or the chief attorney in the branch office or in the field station who shall determine the action to be taken with respect thereto. In cases involving insurance litigation (suits for insurance filed under section 19 of the World War Veterans Act, 1924, as amended, or section 617, National Service Life Insurance Act, as amended), the request shall be acted upon by the director of the service having jurisdiction over the subject matter in central office or branch office. Where the files have been sent to the Department of Justice in connection with any such suit, the request will be referred to the Department of Justice, Veterans Affairs Section, Washington, D. C., for attention. In all other cases where copies of documents or records are desired by or on behalf of parties to a suit, whether in a court of the United States or any other, such copies shall be furnished as provided in paragraph (d) of this section; otherwise to the court only, and on an order of the court or subpoena duces tecum addressed to the Administrator of Veterans Affairs, deputy administrator of the branch office, or the manager of the field station in which the records desired are located requesting the same. The determination as to the action to be

taken upon any order received in this class of cases shall be made by the service having jurisdiction over the subject matter in central office or branch office, or the division having jurisdiction over the subject matter in the field station, except in those cases in which the records desired are to be used adversely to the claimant, in which latter event the order of the court or the subpoena will be referred to the solicitor in central office or to the chief attorney in the branch office or in the field station for disposition.

(b) Where the process of a United States court requires the production of documents or records (or copies thereof) contained in the Veterans' Administration file of a claimant, such documents or records (or copies) will be produced in the court out of which process has been issued. Where original records are produced, they must remain at all times in the custody of a representative of the Veterans' Administration, and if offered and received in evidence, permission should be obtained to substitute a copy so that the original may remain intact in the file. Where the subpoena is issued praecipe of a party litigant other than the United States, such party litigant must prepay the costs of copies in accordance with fees prescribed by § 1.526 (g) and any other costs incident to production.

(c) Where copies of documents or records are requested by the process of any state or municipal court, the process when presented must be accompanied either by authority from the claimant concerned to comply therewith or by an affidavit of the attorney of the party securing the same, setting forth the character of the pending suit, the purpose for which the documents or records sought are to be used as evidence, and, if adversely to the claimant, information from which it may be determined whether the furnishing of the records sought is necessary to prevent the perpetration of a fraud or other injustice. Where the process received is accompanied by authorization of the claimant to comply therewith, copies of the records requested shall be furnished to the court upon payment of the prescribed fee by the party who caused the process to be issued. Where the process shows that the records are to be used adversely to the claimant, the averments contained in the affidavit shall be considered in connection with the facts shown by the claimant's file, and, if such consideration shows the disclosure of the records is necessary and proper to prevent a fraud or other injustice, the records requested shall be furnished in response to the court's process upon the payment of the fee as prescribed by the schedule of fees by the party who caused the process to be issued; otherwise, the court shall be advised that Veterans' Administration records are confidential and privileged. Where the process received requests the production of the complete Veterans' Administration file of a claimant and compliance is deemed necessary and proper under this section, no expense to the Veterans' Administration may be involved in complying therewith and arrangements must be made with

the attorney of the party causing issuance of the process to insure the submission of the file to the court without expense to the Veterans' Administration. The file must remain at all times in the custody of a representative of the Veterans' Administration, and, if there is an offer and admission of any record or document contained therein, permission should be obtained to substitute a copy so that the original may remain intact in the file.

(d) Requests received from attorneys or others for copies of records for use in suits in which the Government is not involved, not accompanied by a subpoena or court order, will be handled by the service or division having jurisdiction over the subject matter. If the request is such as can be complied with under § 1.503 or § 1.504, the records requested will be furnished upon receipt of the required fee. If, however, the records cannot be furnished under § 1.503 or § 1.504, the applicant will be advised of the procedure to obtain copies of records for court use as set forth above.

(e) In suits by or against the Administrator under section 509, Title III, Servicemen's Readjustment Act of 1944, as amended, the files pertaining to the guaranteed or insured loan may be made available by the solicitor or the chief attorney subject to the usual rules of evidence.

§ 1.512 *Disclosure of loan guaranty information.* In general, the facts in loan guaranty files will be made available to any party privy to a guaranteed or insured loan if deemed proper by a loan guaranty officer or chief attorney. Information in the claims folder, insurance or other file will be released to lenders or prospective lenders only in accord with §§ 1.501 through 1.526: *Provided*, That the fact of adjudication of incompetency by court or rating board may be made known in appropriate circumstances to a lender or prospective lender.

§ 1.513 *Disclosure of information contained in military and naval service and related medical records received by the Veterans' Administration from the National Military Establishment—(a) Service records.* Information received by the Veterans' Administration from the Departments of the Army, Navy, Air Force, and the Treasury Department relative to the military or naval service of a claimant is furnished solely for the official use of the Veterans' Administration, but such information may be disclosed under the limitations contained in §§ 1.501 to 1.526, inclusive.

(b) *Medical records.* Information contained in the medical records (including clinical records and social data) may be released under the following conditions:

(1) Complete transcript or résumé of medical records or request to:

- (i) The Department of the Army.
- (ii) The Department of the Navy (including naval aviation and United States Marine Corps).
- (iii) The Department of the Air Force.
- (iv) The Treasury Department (Coast Guard).

(v) Selective Service (in the case of registrants only).

(vi) Federal or state hospitals or penal institutions when the veteran is a patient or inmate therein.

(vii) United States Public Health Service, or other governmental or contract agency in connection with research authorized by, or conducted for, the Veterans' Administration.

(viii) Registered civilian physicians, on the request of the individual or his or her legal representative, when required in connection with the treatment of the veteran. (The transcript or résumé should be accompanied by the statement "It is expected that the information contained herein will be treated as confidential, as is customary in civilian professional medical practice.")

(ix) The veteran on request, except information contained in the medical record which would prove injurious to his or her physical or mental health.

(x) The next of kin on request of the individual, or legal representative, when the information may not be disclosed to the veteran because it will prove injurious to his or her physical or mental health, and it will not be injurious to the physical or mental health of the next of kin or cause repugnance or resentment toward the veteran; and directly to the next of kin, or legal representative, when the veteran has been declared to be insane or is dead.

(2) In addition to the above, the Department of Justice, the Treasury Department, and the Post Office Department may, on request, be given pertinent information from medical records for use in connection with investigations conducted by these departments. Each such request shall be considered on its merits, and the information released should be the minimum necessary in connection with the investigation conducted by these departments.

(3) Compliance with court orders calling for the production of medical records in connection with litigation or criminal prosecutions will be effected in accordance with § 1.511.

§ 1.514 *Disclosure to private physicians and hospitals other than Veterans' Administration.* When a beneficiary elects to obtain medical attention from a private practitioner or in a hospital other than a Veterans' Administration hospital, there may be disclosed to such private practitioner or head of such hospital (state, municipal, or private) such information as to the medical history, diagnosis, findings or treatment, as is requested, provided there is also submitted a written authorization from the beneficiary, or in the event he is incompetent, from his representative or his nearest relative, for release of desired data. The said information will be supplied without charge directly to the private physician or hospital head and not through the beneficiary. In forwarding this information, it will be accompanied by the stipulation that it is released with the consent of the patient and then only on condition that it is to be treated as a privileged communication. However, such information may be released without charge and without consent of the

patient, his representative, or nearest relative when a request for such information is received from the superintendent of a state hospital for psychotic patients, or from a commissioner, department of mental hygiene or comparable state agency.

§ 1.515 *To commanding officers of State soldiers' homes.* When a request is received in a Veterans' Administration regional office, center, or hospital from the commanding officer of a State soldiers' home, for information other than information relative to the character of the discharge from a Veterans' Administration center or hospital concerning a veteran formerly domiciled or hospitalized therein, the provisions of § 1.500 are applicable, and no disclosure will be made unless the request is accompanied by the authorization outlined in § 1.503. However, managers of regional offices, centers, and hospitals, upon receipt of a request from the commanding officer of a State soldiers' home, for the character of the discharge of a veteran from a period of hospital treatment or domiciliary care as a beneficiary of the Veterans' Administration, will comply with the request, restricting the information disclosed solely to the character of the veteran's discharge from such treatment or care. Such information will be disclosed only upon receipt of a specific request therefor from the commanding officer of a State soldiers' home.

§ 1.516 *Disclosure of information to undertaker concerning burial of a deceased veteran.* When an undertaker requests information believed by him to be necessary in connection with the burial of a deceased veteran, such as the name and address of the beneficiary of the veteran's adjusted service certificate or Government insurance policy; name and address of the next of kin; rank or grade of veteran and organization in which he served; character of the veteran's discharge; or date and place of birth of the veteran and it appears that the undertaker is holding the body awaiting receipt of the information requested, the undertaker, in such instances, may be considered the duly authorized representative of the deceased veteran for the purpose of obtaining said information. In ordinary cases, however, the undertaker will be advised that information concerning the beneficiary of an adjusted service certificate or Government insurance policy is confidential and cannot be disclosed; the beneficiary will be advised immediately of the inquiry, and the furnishing of the desired information will be discretionary with the beneficiary. In no case will the undertaker be informed of the net amount due under the certificate or policy or furnished information not specifically mentioned herein.

§ 1.517 *Disclosure of vocational rehabilitation and education information to educational institutions cooperating with the Veterans' Administration.* The assistant administrator for vocational rehabilitation and education or his designate is authorized to release information available only in vocational rehabilitation and education records regarding individual veterans to educational insti-

tutions cooperating with the Veterans' Administration in the vocational rehabilitation and education of veterans of World War II, for the purpose of making studies, inquiring into the rehabilitation of veterans, counseling techniques and training courses utilized to achieve such rehabilitation: *Provided*, That any data or information obtained shall not be published without the approval of the assistant administrator for vocational rehabilitation and education or his designate and that such data or information shall not identify any individual.

§ 1.518 *Addresses of claimants.* (a) It is the general policy of the Veterans' Administration to refuse to furnish addresses from its records to persons who desire such information for purposes of debt collections, canvassing or harassing a claimant.

(b) The address of a Veterans' Administration claimant as shown by Veterans' Administration files may be furnished to duly constituted police or court officials upon official request and the submission of a certified copy either of the indictment returned against the claimant or of the warrant issued for his arrest. Such request shall be forwarded for disposition to the operating service having jurisdiction over the subject matter or possession of the file.

(c) When an address is requested that may not be furnished under §§ 1.500 to 1.526, the person making the request will be informed that a letter enclosed in an unsealed envelope bearing sufficient postage, without return address, with the name of the addressee thereon will be forwarded by the Veterans' Administration, but this provision will be applicable only when it does not interfere unduly with the functions of the service or division concerned. In no event will letters be forwarded to aid in the collection of debts.

§ 1.519 *Lists of claimants.* Lists of claimants will not be furnished except as the Administrator may direct.

§ 1.520 *Confidentiality of social data.* Persons having access to social data will be conscious of the fact that the family, acquaintances, and even the veteran himself have been willing to reveal these data only on the promise that they will be held in complete confidence. There will be avoided direct, ill-considered references which may jeopardize the personal safety of these individuals and the relationship existing among them, the patient, and the social worker, or may destroy their mutual confidence and influence, rendering it impossible to secure further cooperation from these individuals and agencies. Physicians in talking with beneficiaries will not quote these data directly but will regard them as indicating possible directions toward which they may wish to guide the patient's self-revelations without reproaching him for his behavior or arousing natural curiosity or suspicion regarding any informant's statement. The representatives of service organizations and duly authorized representatives of veterans will be especially cautioned as to their grave responsibility in this connection.

§ 1.521 *Special restrictions concerning Social Security records.* All information received from the Social Security Administration except that furnished in connection with the operation of Public Law 719, 79th Congress, will be treated as strictly confidential and will not be disclosed to anyone other than an employee of the Veterans' Administration entitled to such information in the discharge of his official duties. When not being reviewed by an authorized employee, the correspondence containing the information will be placed in a large envelope, sealed, and securely fastened on the left side of the claims folder. There will be placed in this envelope a sheet of paper on which the employee sealing the envelope will endorse his name, designation, and date of sealing and which will be similarly endorsed by all other employees who subsequently have occasion to refer to such information. A new envelope will be used each time the information is examined, and the following notation will be typed on each envelope so used: "Confidential under section 1106, Social Security Act, as amended (53 Stat. 1398, 42 U. S. C. A. 1306). Not to be opened by any person other than an employee of the Veterans' Administration charged with the duty of examining claims and then not in the presence of any person not so authorized. This envelope contains confidential information which shall not be revealed under penalty of law to anyone other than an employee of the Veterans' Administration charged with the duty of examining this case, and it will at all times be kept sealed, except as herein provided."

§ 1.522 *Determination of the question as to whether disclosure will be prejudicial to the mental or physical health of claimant.* Determination of the question when disclosure of information from the files, records and reports, will be prejudicial to the mental or physical health of a claimant, beneficiary, or other person in whose behalf information is sought will be made by the chief medical director, central office; branch medical director, branch office; chief medical officer in the regional office or center; or the clinical director of a hospital, or their physician designates.

§ 1.523 *Veterans' Administration installation from which authorized disclosure will be made.* Where disclosure of information from the files, records, reports, and other papers and documents pertaining to claims filed with the Veterans' Administration is not restricted, such disclosure shall be made by the service, division, or activity in central office, branch office, regional or Veterans' Administration office, hospital, or center having possession of the individual record or file from which the information is to be disclosed.

§ 1.524 *Persons authorized to represent claimants.* A duly authorized representative will be any person authorized in writing by the claimant to act for him, or his legally constituted fiduciary, if the claimant is incompetent. Where for proper reasons no legally constituted fiduciary has been or will be

appointed, his wife, his children, or, if the claimant is unmarried, either of his parents shall be recognized as the fiduciary of the claimant.

§ 1.525 *Inspection of records by or disclosure of information to recognized representatives of organizations.* (a) (1) The accredited representatives of any of the organizations recognized under section 200, Public No. 844, 74th Congress (act of June 29, 1936), holding appropriate power of attorney may inspect the Veterans' Administration file of any claimant upon the condition that only such information contained therein as may be properly disclosed under §§ 1.500 through 1.526 will be disclosed by him to the claimant or, if the claimant is incompetent, to his legally constituted fiduciary. All other information in the file shall be treated as confidential and will be used only in determining the status of the cases inspected or in connection with the presentation to officials of the Veterans' Administration of the claim of the claimant. The managers of field stations and the directors of the services concerned in central office and branch offices will each designate a responsible officer to whom requests for all files must be made.

(2) When power of attorney does not obtain, the accredited representative will explain to the designated officers of the Veterans' Administration the reason for requesting information from the file, and the information will be made available only when in the opinion of the designated officer it is justified; in no circumstances will such representatives be allowed to inspect the file; in such cases a contact report will be made out and attached to the case, outlining the reasons which justify the verbal or written release of the information to the accredited representative. In any case where there is an unrevoked power of attorney, no persons or organizations other than the one named in the power of attorney shall be afforded information from the file; and when any claimant has filed notice with the Veterans' Administration that he does not want his file inspected, such file will not be made available for inspection.

(b) (1) Files will be inspected only in the presence of a Veterans' Administration employee and only in the Veterans' Administration space designated for such inspection except:

(i) Files may be made available to a Member of Congress by the Veterans' Administration legislative liaison service, with inspection in the presence of a Veterans' Administration employee;

(ii) When required by court order to be produced or inspected in connection with pending litigation, but the file must remain at all times in custody of a Veterans' Administration employee or chief attorney's office or an employee designated by the chief attorney.

(2) There must be no exception to the foregoing. Deputy administrators and managers will designate and assign one or more employees, located in the space assigned accredited representatives, to whom the files will be charged and who will have custody of, and be responsible for, such files during the time they are

made available for inspection by accredited representative.

(3) No person other than a Veterans' Administration employee in the performance of his official duties may inspect an insurance file except:

(i) An authorized representative of the insured, or, after maturity of the insurance by death of the insured, of the designated beneficiary, shall, if holding valid power of attorney, be permitted to inspect the file containing the basic papers concerning the insurance for the purpose of assisting the insured in adjusting any phase of the insurance or the insured or designated beneficiary in perfecting a claim for any benefit under the policy.

(ii) Unless otherwise authorized by the insured or the beneficiary, as the case may be, such authorized representative shall not release information as to designated beneficiary to anyone other than the insured or to the beneficiary after death of the insured. Otherwise, information in the insurance file shall be subject to the provisions of §§ 1.500 through 1.526.

(4) So much of the clinical records and medical files, including files for outpatient treatment (not incorporated in the claims folder), containing data relating to social and historical records dealing with the intimate and personal aspects of the claimant's life or which are used entirely for the purposes of diagnosis and treatment must be treated as confidential. Such records may not be inspected, or information contained therein made available to anyone other than those employees of the Veterans' Administration whose duties require same for official medical purposes.

(5) Under no circumstances shall any paper be removed from a file, except by a Veterans' Administration employee, for purpose of having an authorized photostat made. Copying of material in a file shall not be permitted except in connection with the performance of authorized functions under the power of attorney.

(6) In any case involving litigation against the Government, whether contemplated or initiated, inspection, subject to the foregoing, shall be within the discretion of the solicitor or chief attorney, except that in insurance suits under the World War Veterans Act, 1924, as amended, or the National Service Life Insurance Act, 1940, as amended, inspection shall be within the discretion of the official having jurisdiction of the claim. Files in such cases may be released to the Department of Justice, but close liaison will be maintained to insure their return intact upon termination of the litigation.

(c) Deputy administrators and managers will be responsible for the administrative compliance with and accomplishment of the foregoing within their jurisdiction and any violations of the prescribed conditions for inspection of files will be brought to the immediate attention of the Administrator.

(d) Any person holding power of attorney or accredited representative of a recognized organization holding such power of attorney shall be supplied with a copy of each notice to the claimant respecting the adjudication of the claim.

If a claimant dies before action on the claim is completed, the person or organization holding power of attorney may continue to act until the action is completed except where the power of attorney is filed on behalf of the dependent.

(e) When in developing a claim the accredited representative of a recognized organization finds it necessary to call upon a local representative to assemble information or evidence, he may make such disclosures to the local representative as the circumstances of the case may warrant, provided the power of attorney to the recognized organization contains an authorization permitting such disclosure.

§ 1.526 *Copies of records and papers.*

(a) Any person desiring a copy of any record or document in the custody of the Veterans' Administration, which is subject to be furnished under §§ 1.501 through 1.526, must make written application for such copy to the Veterans' Administration installation having custody of the subject matter desired, stating specifically (1) the particular record or document the copy of which is desired and whether certified or uncertified; (2) the purpose for which such copy is desired to be used.

(b) When copies of a record or document are furnished under §§ 1.506, 1.507, 1.510 and 1.514, such copies shall be supplied without charge.

(c) Where only one or a relatively few copies of papers from a claimant's file are desired by the veteran or a dependent for use in securing one of the governmental benefits or in connection with a claim for commercial insurance, the workmen's compensation or similar benefit, the necessary copies may in the discretion of the manager, deputy administrator, or staff member in central office having jurisdiction in the matter be supplied without charge.

(d) When information, statistics, or reports are released or furnished under § 1.501 or § 1.519, the fee charge, if any, will be determined upon the merits of each individual application.

(e) In those cases where it is determined that a fee shall be charged, the applicant will be advised to deposit the amount of the lawful charge for the copy desired. The amount of such charge will be determined in accordance with the schedule of fees prescribed in paragraph (g) of this section. The desired copy will not be delivered until the full amount of the lawful charge is deposited. Any excess deposited over the lawful charge will be returned to the applicant. When a deposit is received with an application, such deposit will be returned to the applicant should the application be denied.

(f) Copies of reports or records received from other Government departments or agencies will not be furnished except as provided in § 1.513.

(g) *Schedule of fees:*

Written copies, per 100 words.....	\$0.25
Photostat copies, per sheet.....	.25
Certifications, each.....	.25

(h) Those Veterans' Administration installations not having photostat equipment are authorized to arrange with the nearest Veterans' Administration instal-

lation having such equipment to make the necessary authorized photostatic copies of records or documents.

(R. S. 471, 43 Stat. 607, 608, 46 Stat. 1016; 38 U. S. C. 2, 11, 11a, 421, 426)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-1911; Filed, Mar. 3, 1948;
8:57 a. m.]

PART 2—ADJUDICATION: VETERANS' CLAIMS SPECIAL ACTION

In § 2.1142, paragraphs (a) and (b) are amended, and paragraph (c) is canceled:

§ 2.1142 *Special action where evaluations provided under the rating schedule, 1945, are considered inadequate or excessive.* (a) Exceptional cases to which the application of the 1945 Schedule is not understood, or with regard to which evaluation under this schedule is considered inadequate or excessive, may be submitted by the adjudication officer for advisory opinion or for reevaluation to the director, claims service, branch office. He will return the case with appropriate instructions if he finds that provisions of the schedule have not been properly applied or that proper development has not accomplished, or will forward the case to the assistant administrator for claims, attention: director, veterans claims service, central office. Questionable special monthly compensation cases will be similarly submitted. Severe disabilities considered total, but for which current procedure does not authorize a total rating, will be transferred direct to the assistant administrator for claims, attention: director, veterans claims service. Where total disability is claimed and a submission hereunder is contemplated a VA Form 8-527, Employment Statement, will be obtained and other indicated development of the evidence accomplished prior to the release of the records by the custodial office. The submission in any case comprehended by the regulation in this section will include the claims folder, a recent medical examination, and definite recommendation from the submitting agency concerning evaluation of every disability under the Schedule as interpreted by the submitting agency, and concerning schedular changes deemed advisable by reason of the particular situation encountered. However, cases will not be withdrawn from appellate channels for submission under the regulation in this section, except as the board of veterans appeals may join in reference of such cases with their recommendation. (§ 35.03 of this chapter.)

(b) Rating agencies are authorized to assign total disability ratings under §§ 35.011 and 35.012 of this chapter, as authorized by paragraph 16, page 5, 1945 Rating Schedule, regardless of the age of the veteran; and under § 35.013 of this chapter, subject to the age requirements of paragraph 17, page 6, 1945 Rating Schedule. In favorable determinations of permanence of total disability in cases

of veterans under forty years of age the rating agency must assure itself, by deliberative consideration in which all three members of the board participate, that there is reasonable certainty of continuance of this degree of disability throughout life. Single disabilities of the extremities, even though severe, such as amputations, should not be taken to produce permanent and total disability until it is shown after hospitalization and convalescence that the veteran has been unable to secure employment on account of the disability and through no fault of his own. With these younger men the fact that injuries, including single or multiple fractures, or diseases such as pulmonary tuberculosis, coronary thrombosis, or malignant growths, appear resistant to treatment, or have involved, or are likely to involve long periods of treatment or industrial inactivity, does not indicate permanence of total disability unless the end result of treatment is more likely than not to be total disability. The general rules regarding permanence as applied to total disability ratings are set forth in §§ 2.1167 and 2.1168. Employment as a member employee, or similar employment other than in Veterans Administration centers obtainable only in competition with disabled individuals, will not be considered as evidence of employability. (R. S. 471, 43 Stat. 608, 46 Stat. 1016, 48 Stat. 9, 10, 309, 524; 57 Stat. 554-560; 38 U. S. C. and Sup. 2, 11, 11a, 426, 707, 709, 722, Ch. 12, note)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-1909; Filed, Mar. 3, 1948;
8:56 a. m.]

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 5.2548, paragraphs (a) (1) and (a) (2) (iii) are amended; paragraphs (b), (c), (d), and (e) are canceled; and paragraphs (e), (f), (g), and (h) are redesignated (b), (c), (d), and (e).

§ 5.2548 *Death of World War I veteran from disease or injury not the result of military service* (Public No. 484, 73d Congress, act of June 28, 1934, as amended)—(a) *Basic entitlement.* (1) For periods on and after July 19, 1939, and prior to December 14, 1944, for the purpose of section 1 (b), Public No. 198, 76th Congress, the widow, child or children as defined in § 5.2514 of a person who served with the United States military or naval forces in World War I before November 12, 1918, or before April 2, 1920, if service was in Russia, and who was honorably discharged after having rendered active service of 90 days or more (or having served less than 90 days was discharged for disability incurred in the service in line of duty) and who dies or has died from a disease or disability not service-connected and at the time of death had a disability as defined in § 5.2676 (b), directly or presumptively service-connected based on service in World War I after April 5, 1917, and before July 3, 1921, for which compensation

would be payable if 10 per centum or more in degree, shall be entitled to receive pension at the monthly rates specified in § 5.2640: *Provided*, That for the purpose of section 1 (a), Public No. 198, 76th Congress, pension shall be payable regardless of the length of the veteran's service if at the date of death he had such a disability which was 10 per centum or more disabling: *Provided further*, That on and after June 22, 1944, pension shall be payable under the conditions prescribed where the veteran was discharged or released from active service under conditions other than dishonorable. (Section 1503, Public Law 346, 78th Congress)

(2) * * *

(iii) Who at time of death was receiving or entitled to receive compensation, or retirement pay for World War I service-connected disability, shall be entitled to receive pension at the monthly rates specified in § 5.2640.

(b) *Income limitation; for periods on and after July 19, 1939.* For periods on and after July 19, 1939, no payment of pension shall be made under the provisions of Public No. 484, 73d Congress, as amended, to any widow without a child, or to any child whose annual income exceeds \$1,000.00, or to a widow with a child or children whose annual income exceeds \$2,500.00: *Provided*, That on and after July 13, 1943, where payments to a widow are disallowed or discontinued by reason of annual income, payment to a child or children of the deceased veteran may be made as though there is no widow. The provisions of § 3.1228 of this chapter will govern determinations under this paragraph but in no event will any payments by the United States Government because of disability or death under laws administered by the Veterans' Administration be considered. (Section 11, Public Law 144, 78th Congress)

(c) *"Person who served," definition of.* The term "person who served" includes both men and women commissioned, enlisted, or drafted, who were finally accepted for active service, including members of training camps authorized by law, and such other persons as have been heretofore recognized by statute as having a pensionable or compensable status. (See §§ 2.1001 and 4.200C of this chapter.)

(d) *Misconduct.* Death resulting from misconduct of the person who served is not a ground for denial of pension under the provisions of Public No. 484, 73d Congress, as amended.

(e) *Absence for seven years.* For periods on and after June 5, 1942, and prior to December 14, 1944, pension under Public No. 484, 73d Congress, as amended, may be awarded to persons, otherwise entitled, in instances where the death of the veteran is presumed by applying the provisions of Public Law 591, 77th Congress, relating to the continued and unexplained absence of a person from his home and family for a period of seven years, provided the veteran had a service-connected disability such as would, by its nature, be known to have existed to a degree which would bring it within the provisions of Public No. 484, 73d Congress,

as amended, at the time presumption of death arose. For periods on and after December 14, 1944, as to claims where Public Law 483, 78th Congress, is applicable, the showing of a service-connected disability shall not be required except as stated in paragraph (a) (2) of this section. The date of death in such cases is the date determined to be the end of the seven-year period. (See §§ 5.2518 and 5.2576 (a).)

2. In § 5.2549, paragraph (a) is amended and redesignated as the basic paragraph; paragraph (a) (1) is amended and redesignated (a); paragraphs (a) (2) and (a) (3) are redesignated (b) and (c), respectively; and paragraph (b) is canceled.

§ 5.2549 *Death of World War II veteran from disease or injury not the result of service, who at time of death had a service-connected disability* (Public Law 312, 78th Congress, act of May 27, 1944, and Public Law 483, 78th Congress, act of December 14, 1944). On or after May 27, 1944, for the purposes of section 4, Public Law 312, 78th Congress, the widow, child, or children, as defined in § 5.2515, of a person who served during World War II in an enlistment entered into prior to twelve o'clock noon, December 31, 1946, and who was honorably discharged after having rendered active service of 90 days or more (or having served less than 90 days, was discharged for disability incurred in such service in line of duty) and who dies or has died from a disease or disability not connected with such service, and at the time of death had a service-connected disability as defined in § 5.2678 (b), based on service in World War II after December 6, 1941, and before July 26, 1947, for which compensation would be payable if 10 per centum or more in degree shall be entitled to receive pension at the monthly rates specified in § 5.2640: *Provided*, That pension shall be payable without regard to the length of the veteran's service if at the date of death he was receiving or entitled to receive compensation, or retirement pay for a disease or disability as specified above which was 10 per centum or more disabling; *Provided further*, That

(a) The income limitations set forth in § 5.2548 (b) shall be applicable in determining entitlement to pension under this law;

(b) On or after June 22, 1944, pension shall be payable under the conditions prescribed where the veteran was discharged or released from active service under conditions other than dishonorable (Section 1503, Public Law 346, 78th Congress, sections 5 and 6, Public Law 483, 78th Congress);

(c) Computation of the 90 days service may include continuous service in an enlistment entered into prior to December 7, 1941, and continuing into the World War II period, or in an enlistment entered into prior to twelve o'clock noon, December 31, 1946, and continuing into the following period. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup. 503, 507b)

3. New sections, §§ 5.2673, 5.2676, 5.2678, 5.2680, 5.2682, and 5.2684 are added to read as follows:

§ 5.2673 *Service connection in death cases for coronary occlusion or coronary thrombosis*. (a) When the death certificate shows that a veteran died from coronary occlusion or coronary thrombosis within one year after termination of active wartime service, whether designated as acute or not and without qualification as to etiology war service-connection may be granted under Public No. 2, 73d Congress, as amended, for such condition as the terminal manifestation of a chronic disease, coronary arteriosclerosis, subject to the provisions of §§ 2.1080 and 2.1086 of this chapter, without further development of evidence unless otherwise contraindicated: *Provided, however*, That the medical certification of the death certificate is signed by a physician or is signed by a coroner who is not a physician with a certified transcript of the proceedings of the coroner's inquest (which should be obtained) showing that the finding of coronary occlusion or coronary thrombosis was based on the testimony of a physician; or in consideration of the transcript such decision on the question of service-connection, including the further development of evidence if necessary, may be rendered as may be warranted by all facts disclosed.

(b) The rules enunciated in § 3.1214 (b) (1) and (2) of this chapter are equally applicable in death cases. Accordingly, awards based on the provisions of paragraph (a) of this section, will in no event be effective prior to December 31, 1946, the date such criteria were originally issued. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup. 503, 507b)

§ 5.2676 *World War I; establishment of service-connected disability of less than 10 per centum*. (Public No. 484, 73d Congress, act of June 28, 1934, as amended, Public No. 198, 76th Congress, act of July 19, 1939)—(a) *Basic entitlement*. On and after July 19, 1939, the existence of a directly or presumptively service-connected disease or injury at death and the determination of a disability resulting from such disease or injury for which compensation would be payable if 10 per centum or more in degree may be based upon evidence filed at any time subject to the limitations contained in §§ 35.022 (b) and 35.021 (a) (1) (iii) of this chapter. Any disability that may be properly service-connected either directly or presumptively under the provisions of Public No. 2, 73d Congress, as amended, sections 26, 27 and 28 (excluding section 31), Public No. 141, 73d Congress, as amended, or under the law in effect at time of death, based on World War I service as defined in § 2.1000 (a) of this chapter, will be considered service-connected for the purpose of Public No. 484, 73d Congress, as amended.

(b) *Definition of term "disability" as used herein*. Subject to establishment of war service-connection as outlined in paragraph (a) of this section, term "Disability" shall comprehend:

(1) Any disease or injury existing at death for which the Schedule of Disability Ratings, 1925, and extensions thereto prescribes an evaluation of 1 per centum

or more disability under any occupational variant.

(2) The following diseases or injuries without necessity of affirmative evidence of existence at death:

(i) Arthritis, traumatic.

(ii) Creative organ, loss of use of, or a disease or injury with resultant orchitis followed by a definitely atrophied testicle as distinguished from an anatomical variation from normal.

(iii) A disease included in §§ 2.1086 to 2.1088, inclusive.

(iv) Hemorrhoids even if followed by hemorrhoidectomy, unless adequate examination of the pile-bearing area has clearly shown complete and permanent elimination of the hemorrhoidal condition.

(v) Scars resulting from lacerated wounds, not of combat origin, if service department records or other evidence shows the character of injury and duration of treatment such as to warrant a conclusion that there was loss of deep fascia or muscle substance. Included are any through and through gunshot wounds.

(vi) Systolic murmur, if organic and not functional.

(vii) Varicose veins, irrespective of effects of excision, ligation, injection of foreign material or wearing of prosthetic appliances.

(viii) Weak feet, pes planus, claw foot, pes cavus, symptomatic during service.

(ix) A wound or injury incurred in action with an enemy of the United States or as the result of an act of such an enemy, as shown by official records or other competent evidence: *Provided*, That the wound or injury required medical treatment during service or resulted in a scar or other permanent residual. Included are: gunshot and other wounds; gas inhalation, gas burns or gas poisoning; shell shock; injuries received in accidents, explosions and the like; burns; fractures and dislocations from falls and the like; laceration by barbed wire entanglements; and similar injuries.

(x) A wound or injury incurred in action with an enemy of the United States or as the result of an act of such an enemy, as shown by official records, and there is no record that such wound or injury required medical treatment during service or resulted in a scar or other permanent residual: *Provided*, That a wound chevron or Purple Heart was issued for the condition: *Provided further*, That the indication of treatment established by issuance of the wound chevron or Purple Heart is not rebutted by other evidence.

(3) Any of the following conditions, if shown to exist at death:

(i) Abdominal adhesions, symptomatic.

(ii) Colitis, chronic, symptomatic.

(iii) Cystitis, chronic, symptomatic.

(iv) Ear drum, dry perforation of, without loss of hearing.

(v) Enteritis, chronic, symptomatic.

(vi) Enterocolitis, chronic, symptomatic.

(vii) Eye conditions, chronic, symptomatic.

(viii) Fractured bones, residuals of, slight, symptomatic.

(ix) Hernia, abdominal wall, no truss or belt prescribed as contradistinguished from the existence of an enlarged abdominal ring or the non-symptomatic residuals of a herniotomy.

(x) Laryngitis, chronic, symptomatic.

(xi) Otitis media, chronic, symptomatic.

(xii) Pharyngitis, chronic, symptomatic.

(xiii) Pleurisy, chronic, symptomatic.

(xiv) Scars, postoperative, incisional, mildly symptomatic, manifesting slight pain and tenderness on objective demonstration or poorly nourished with ulceration.

(xv) Scars of face and neck with slight disfigurement, resulting from lacerated wounds, not of combat origin.

(xvi) Sinusitis, chronic, symptomatic.

(xvii) Tonsillitis, chronic, symptomatic.

(xviii) Varicocele, symptomatic.

(c) *Caution on service-connection.* Paragraph (b) of this section is definitive of disability only and should not in any instance be used or cited as authority for service-connection which must be established in accordance with the laws and regulations governing the period of service involved.

(d) *Cases not covered.* Where there is no provision for evaluation of the disease or injury as a disability and the condition is not a disability within the meaning of paragraph (b) of this section, but it is clear that the disease or injury constituted a definitely ascertainable disability the rating agency or the board of veterans appeals, as the case may be, will outline the evidence and influencing reasons relied on to show the existence of disability: *Provided, however,* That dependents pension boards in branch offices will make recommendatory ratings in such cases which will be forwarded to central office for review and final rating by the central dependents pension board, dependents and beneficiaries claims service. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup. 503, 507b)

§ 5.2678 *World War II; establishment of service-connected disability of less than 10 per centum (section 4, Public Law 312, 78th Congress, act of May 27, 1944, as amended, section 6, Public Law 483, 78th Congress, act of December 14, 1944)—(a) Basic entitlement.* On and after May 27, 1944, the existence of a service-connected disease or injury at death and the determination of a disability resulting from such disease or injury for which compensation would be payable if 10 per centum or more in degree may be based upon evidence filed at any time subject to the limitations contained in §§ 35.022 (b) and 35.021 (a) (1) (iii) of this chapter. Any disability that may be properly service-connected under the provisions of § 35.011 of this chapter and Public No. 2, 73d Congress, as amended, based on World War II service as defined in § 2.1000 (b) of this chapter, will be considered service-connected for the purpose of section 4, Public Law 312, 78th Congress, as amended.

(b) *Definition of term "disability."* The term "disability" as used herein shall comprehend any disease or injury existing at death for which service-connection

is established in accordance with laws applicable to World War II based upon service rendered in an enlistment entered into prior to twelve o'clock noon, December 31, 1946, and the disease or injury was incurred prior to midnight July 25, 1947, and which constitutes a disability as defined by the regulations of this chapter and rating criteria applicable to Public No. 484, 73d Congress, as amended.

(c) *Citation to be made.* The regulation contained in this section shall be cited as the authority for the determination of the existence of a disability of less than 10 per centum under section 4, Public Law 312, 78th Congress, or Public Law 483, 78th Congress.

(d) *Cases not covered.* Where there is no provision for an evaluation of the disease or injury as a disability and the condition is not a disability within the meaning of the instructions issued defining the term "disability" as used in section 1 (b), Public No. 198, 76th Congress, or section 6, Public Law 483, 78th Congress, but it is clear that the disease or injury constituted a definitely ascertainable disability the rating agency or the board of veterans appeals, as the case may be, will outline the evidence and influencing reasons relied on to show the existence of a disability: *Provided, however,* That dependents pension boards in branch offices will make recommendatory ratings in such cases which will be forwarded to central office for review and final rating by the central dependents pension board, dependents and beneficiaries claims service. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup. 503, 507b)

§ 5.2680 *Rating schedules to be used in evaluation of disability, 10 per centum or more.* (a) In any case where an evaluation of 10 per centum or more is necessary to confer entitlement under Public No. 484, 73d Congress, as amended, or section 4, Public Law 312, 78th Congress, as amended, the degree of disability will be evaluated in accordance with the Schedule of Disability Ratings in effect at the time of death or the Schedule for Rating Disabilities, 1945.

(b) In paragraph (a) of this section, the burden of proof shall be upon the claimant to show that the required degree of disability existed at death subject to the provisions of § 5.2682. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup., 503, 507b)

§ 5.2682 *Interpretation of "at time of death was receiving or entitled to receive compensation or retirement pay" for purpose of Public No. 484, 73d Congress (act of June 28, 1934), as amended, or section 4, Public Law 312, 78th Congress (act of May 27, 1944), as amended.* (a) In the case of any deceased person who served in World War I or World War II an evaluation of 10 per centum or more disability in effect at death established by a proper rating agency based on service-connected disease or injury, as defined in §§ 5.2676 (a) and 5.2678 (a), will be accepted as showing that such person was receiving or entitled to receive compensation or retirement pay, regardless of the particular rating schedule under which evaluated, except for fraud or

where there was no legal basis for an award, as distinguished from errors such as those involving judgment, medical opinion or diagnosis.

(b) In cases coming within the protective provisions of paragraph (a) of this section, the rating agency will prepare the rating in accordance with the correct facts and proper application of the law reflecting therein reduced evaluation or severance of service-connection under § 5.2670, as may be warranted, but followed by the legend "veteran was receiving or entitled to receive compensation or retirement pay for war service-connected disability at time of death within the meaning of § 5.2682." (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup. 503, 507b)

§ 5.2684 *Disabilities not included under §§ 5.2676, 5.2678, 5.2680 or 5.2682.* There may not be considered in determining entitlement under Public No. 484, 73d Congress, as amended, or section 4, Public Law 312, 78th Congress, as amended:

(a) Disabilities incurred or aggravated as the result of training, hospitalization, or medical or surgical treatment under section 31, Public No. 141, 73d Congress, the result of examinations under section 12, Public No. 866, 76th Congress, or the result of training under § 35.017 (d) of this chapter, as amended (Public Law 16, 78th Congress, as amended);

(b) Disabilities incurred or aggravated in service in the organized military forces of the Commonwealth of the Philippines under Title II, Public Law 301, 79th Congress. (48 Stat. 1281, as amended, sec. 4, 58 Stat. 230; 38 U. S. C. and Sup., 503, 507b)

(R. S. 471, 43 Stat. 608, 46 Stat. 1016, 48 Stat. 9; 38 U. S. C. 2, 11, 11a, 426, 707)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-1910; Filed, Mar. 3, 1948;
8:57 a. m.]

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

PART 25—MEDICAL

MISCELLANEOUS AMENDMENTS

1. Section 5.2591 (c) (1) (iii) is amended to read as follows:

§ 5.2591 *Apportionment of death pension or compensation.* * * * *

(c) *Rates payable.* (1) * * * *

(iii) *Indian War Pension:* When pension is payable under Public No. 723, 69th Congress (act of March 3, 1927); as amended, including Public Law 398, 80th Congress (act of January 19, 1948), the apportioned monthly rates shall be as follows:

	On and after Oct. 17, 1940	On and after Mar. 1, 1948
Widow.....	\$21.00	\$25.20
Child.....	15.00	18.00
Each additional child.....	6.00	7.20

Total amount for children equally divided.

The additional monthly payment of \$10.00 provided by the act of March 3, 1944 (Public Law 245, 78th Congress), which was increased to \$12.00 effective March 1, 1948, by the act of January 19, 1948 (Public Law 398, 80th Congress), because of attained age of a widow shall be added to the widow's share.

(Pub. Law 398, 80th Cong., 61 Stat. 610)

2. Section 5.2630 is amended to read as follows:

§ 5.2630 *Indian Wars.*

	Per month	
	Prior to Mar. 1, 1948	On and after Mar. 1, 1948 (act of 1-19-48)
(a) Widows:		
Act of Mar. 3, 1927.....	\$30.00	\$36.00
Act of Mar. 3, 1944.....	30.00	36.00
70 years of age or over.....	40.00	48.00
Wife during service.....	50.00	60.00
Additional for each child.....	6.00	7.20
(b) Remarried widows:		
Act of Mar. 3, 1927.....	30.00	36.00
Additional for each child.....	6.00	7.20
(c) Children:		
Act of Mar. 3, 1927:		
One child.....	36.00	43.20
Additional for each child, equally divided.....	6.00	7.20

(Pub. Law 398, 80th Cong., 61 Stat. 610)

3. In 13 F. R. 181, § 25.6060 (a) (9) was inadvertently listed as canceled. There is no subparagraph (a) (9) in § 25.6060.

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-1908; Filed, Mar. 3, 1948;
8:56 a. m.]

PART 25—MEDICAL

CROSS REFERENCE: For a correction of the amendment of § 25.6060 occurring at 13 F. R. 181, see Federal Register Document 48-1908, *supra*.

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 17—MONEY-ORDER SYSTEM

INTERNATIONAL MONEY-ORDER SERVICE;
COUNTRIES TO WHICH SERVICE IS AVAIL-
ABLE

1. Amend § 17.54 to read as follows:

§ 17.54 *Semi-domestic money-order business.* Money orders to the foreign countries named below are issued on the domestic form and the fees charged are the same as those for domestic money orders.

Countries with which the United States maintains direct exchange of money orders on the domestic basis are:

Antigua.	British Virgin Islands.
Bahama Islands.	Canada.
Barbados.	Canal Zone.
Bermuda.	Cuba.
British Guiana.	Dominica.
British Honduras.	

Grenada.
Jamaica.
Montserrat.
Nevis.
Newfoundland.
Philippines (Republic of the).

St. Kitts.
St. Lucia.
St. Vincent.
Trinidad and Tobago.

2. Amend paragraph (c), § 17.55, *Exchange offices*, (12 F. R. 1465) to read as follows:

§ 17.55 *Exchange offices.* * * *

(c) (1) (i) There is shown below a list of countries with which the United States maintains direct exchange of money orders on the international basis. Money-order business with these countries is conducted through exchange offices, and payment is made on orders reissued by an exchange office of the paying country, a receipt only being given to the remitter.

Albania. ¹	Italy.
Argentina.	Japan. ¹
Austria.	Latvia. ¹
Belgium.	Lebanon.
Brazil.	Lithuania. ¹
Bulgaria. ¹	Luxembourg.
Chile.	Mexico.
China.	Netherlands. ¹
Colombia.	Netherlands Indies. ¹
Costa Rica.	Norway.
Czechoslovakia (with exception of province of Ruthenia).	Palestine. ¹
Danzig. ¹	Peru.
Denmark. ¹	Poland. ¹
Estonia. ¹	Rumania. ¹
Finland.	Salvador.
France.	Siam. ¹
Germany. ¹	Spain. ¹
Great Britain and Northern Ireland.	Surinam.
Greece.	Sweden. ¹
Guatemala.	Switzerland.
Honduras.	Syria.
Iceland.	Tunis.
	Uruguay.
	Yugoslavia.

(ii) In the case of the following countries, the United States maintains direct exchange of money orders on the international basis, but payment is made on the original order form, which is given to the remitter for transmission to the payee:

Cape Verde Islands. ¹	Malaya. ¹
Commonwealth of Australia.	New Zealand.
Hong Kong. ¹	Union of South Africa.
Ireland.	

(2) There is shown below a list of countries to which money orders can be sent through the intermediary of other countries.

Aden (including Kamaran Island and Perim).	Basutoland.
Aegean Islands.	Bechuanaland Protectorate.
Algeria.	Belgian Congo.
Andaman Islands (see India).	Borneo, North (see British North Borneo).
Andorra. ¹	British India (see India).
Angola (Portuguese West Africa). ¹	British New Guinea (see Papua).
Anglo-Egyptian Sudan. ¹	British North Borneo.
Arabia (Aden).	British Somaliland.
Azores.	Brunei. ¹
Bahrain (see Persian Gulf).	Burma.
Baluchistan (see India).	Cameroons, British.
	Cameroons, French.

¹ Money-order business temporarily suspended.

Ceylon.	Morocco (Except to Spanish Soldiers and Civilians).
Chatham Islands.	Mozambique (Portuguese East Africa).
Colony and Protectorate of Kenya.	Muscat (see Persian Gulf).
Comoro Islands (see Madagascar).	Nauru (Pleasant Island).
Curacao (formerly Dutch West Indies). ¹	New Caledonia. ²
Cyprus.	New Guinea (Mandated Territory).
Dahomey, French West Africa.	New Hebrides (French).
Dodecanese Islands (see Aegean Islands).	Niger Colony, French West Africa.
Dutch West Indies (see Curacao). ¹	Nigeria.
Egypt.	Norfolk Island.
Eritrea. ¹	North Borneo (see British North Borneo).
Ellice Islands (see Gilbert and Ellice Islands Colony).	Northern Rhodesia.
Falkland Islands.	Nyasaland Protectorate.
Fanning Island.	Oubangui - Chari, French Equatorial Africa.
Faroe Islands. ¹	Pakistan (See India).
Fiji Islands.	Papua (same as British New Guinea).
Formosa (China).	Pasni (see Persian Gulf).
French Cameroons.	Persian Gulf:
French Equatorial Africa.	Bahrain.
French Guiana (South America).	Guadur.
French Guinea (West Coast of Africa).	Muscat.
French Indo-China.	Ormara.
French New Hebrides.	Panjur.
French Togoland.	Pasni.
French West Africa.	Turbat.
Friendly Islands (or Tonga Islands).	Pleasant Island (or Nauru Island).
Gambia, West Coast of Africa.	Portuguese East Africa (Mozambique).
Gibraltar.	Portuguese West Africa (Angola).
Gilbert and Ellice Islands Colony.	Ralatea, Oceania. ²
Goa, Malabar Coast. ¹	Republic of San Marino.
Gold Coast Colony, Africa.	Reunion. ²
Guadeloupe.	Rhodesia (Northern and Southern).
Guadur (see Persian Gulf).	Rodrigues.
Guinea (Spanish). ¹	Saint Helena.
Harvey Archipelago.	Saint Pierre and Miquelon. ²
Hejaz (now Saudi Arabia). ¹	Samoa (Apia).
India.	San Marino, Republic of.
Indo-China.	Sarawak, Borneo.
Iran (formerly Persia).	Saudi Arabia (formerly Hejaz, Nejd, etc.). ¹
Iraq or Mesopotamia.	Savage Islands.
Ivory Coast, French West Africa.	Senegal, French West Africa.
Kenya (Colony and Protectorate).	Seychelles Islands.
Libya. ¹	Sierra Leone.
Liechtenstein. ¹	Solomon Islands.
Macao. ¹	Somalia. ¹
Madagascar.	Somali Coast (French). ²
Madeira.	Somaliland (British).
Makatea (Oceania). ²	Somaliland (Italian) (see Somalia). ¹
Malay States (Unfederated). ¹	Southern Rhodesia.
Malta.	South-West Africa.
Mauritania, French West Africa.	Spanish Guinea. ¹
Mauritius.	Sudan (Anglo Egyptian). ¹
Mesopotamia (or Iraq).	
Middle Congo, French Equatorial Africa.	
Monaco.	

¹ The maximum amount for which a money-order may be drawn is 1,000 French francs.

² The maximum amount for which a money-order may be drawn is 500 French francs.

Sudan (French).
Swaziland.
Tahiti.²
Taiwan (Formosa).
Tanganyika Territory.
Tibet.
Togoland (British).
Togoland (French).

Tonga Islands (or Friendly Islands).
Trans-Jordan.¹
Tripoli.¹
Uganda Protectorate.
Unfederated Malay States.¹
Zanzibar.

CROSS REFERENCE: See § 17.54 for countries with which the United States exchanges money-orders on a semi-domestic basis.

(R. S. 161, 396, 398, 4027, 4028, sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372, 39 U. S. C. 711, 712)

[SEAL]

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-1936; Filed, Mar. 3, 1947;
8:54 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Order 301]

PART 50—ORGANIZATION AND PROCEDURE

DELEGATIONS TO THE REGIONAL ADMINISTRATORS

FEBRUARY 27, 1948.

The following subparagraphs are added to paragraph (a) of § 50.451 (12 F. R. 6617):

§ 50.451 *Functions with respect to various statutes.* (a) * * *

(60) Applications for temporary permits for rights-of-way for logging roads on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon, in accordance with 43 CFR 115.114 to 115.127, inclusive, and the issuance, modification, renewal, assignment or cancellation of such permits.

(61) Applications for grazing leases and crossing permits on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon, in accordance with 43 CFR 115.128 to 115.149, inclusive, and the issuance, modification, renewal, assignment or cancellation of such leases and permits.

(Secs. 3, 12, 60 Stat. 238, 244; 5 U. S. C. Sup. 1002, 1011)

FRED W. JOHNSON,
Director.

[F. R. Doc. 48-1878; Filed, Mar. 3, 1948;
8:58 a. m.]

¹ Money-order business temporarily suspended.

² The maximum amount for which a money-order may be drawn is 1,000 French francs.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 87, Amdt. 12]

PART 95—CAR SERVICE

DEMURRAGE ON COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of February, A. D. 1948.

Upon further consideration of Service Order No. 87 (7 F. R. 8066), as amended (7 F. R. 8434; 11 F. R. 4737, 8451; 11 F. R. 12726, 14650; 12 F. R. 259, 2093, 2131, 4886; 13 F. R. 452, 525), and good cause appearing therefor:

It is ordered, That Service Order No. 87, as amended (codified as § 95.500 CFR), be, and it is hereby, further amended by substituting the following paragraph (a) for paragraph (a) thereof:

§ 95.500 *Suspension of demurrage rules: Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751 coal.* (a) The operation of demurrage rule contained in Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751, and supplements thereto or reissues thereof, is hereby suspended, to the extent that the free time allowed on cars loaded with bituminous and cannel coal and the coal products described in said tariff exceeds six days; that the average free time on cars delivered to storage plants for subsequent delivery to vessels exceeds three days; subject to the exception shown below, that the settlement period for the average account exceeds two months; and that the operation of all of the provisions of said tariff inconsistent with this order is hereby suspended.

Exception. Any excess debits accruing at any point specified in the above named tariff in the account of any particular consignor or consignee during the settlement period ending at 7:00 a. m., March 1, 1948, which are not offset by credits accruing to the same party during that same period at the same point because sufficient such credits have not accrued to the particular consignor or consignee due to the frozen condition of coal delaying or preventing unloading may be offset by excess credits accruing at the same point to the same consignor or consignee in the settlement period ending at 7:00 a. m., May 1, 1948.

It is further ordered, This amendment shall become effective at 7:00 a. m., March 1, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and

per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-1894; Filed, Mar. 3, 1948;
8:55 a. m.]

[Rev. S. O. 798, Amdt. 6]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON PRIVATELY OWNED TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of February A. D. 1948.

Upon further consideration of Revised Service Order No. 798 (12 F. R. 8461), as amended (12 F. R. 8792; 13 F. R. 63, 90, 175, 296), and good cause appearing therefore: It is ordered, that:

Section 95.798, *Demurrage charges on privately owned tank cars*, of Revised Service Order No. 798, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This section shall expire at 7:00 a. m., April 1, 1948, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 7:00 a. m., March 1, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-1895; Filed, Mar. 3, 1948;
8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[7 CFR, Part 10]

GRAIN CONSERVATION

PROPOSED VOLUNTARY PLAN FOR CONSERVATION OF GRAIN PRODUCTS BY BAKING INDUSTRY

In accordance with the authority vested in me by Executive Order No. 9919 (13 F. R. 59), and as a result of consultation, correspondence and meetings with representatives of the baking industry, including a public meeting held in the United States Department of Agriculture at Washington, D. C., on January 27, 1948, I hereby find that the following proposed plan for voluntary action with respect to the conservation of grain and grain products by the baking industry is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, 80th Congress, 1st Session. The purpose of this notice is to give industry, labor, and the public an opportunity to present their views with respect to such plan. The proposed plan is as follows:

§ 10.12 *Proposed voluntary plan for conservation of grain products by the baking industry.* (a) Wholesale bakers of bread, rolls, pie, cake, yeast raised sweet goods, and doughnuts will agree in the form of a pledge:

(1) To refrain from the practice known as "consignment selling" of bakery goods. For the purpose of this agreement consignment selling means:

(i) The delivery of bakery products otherwise than pursuant to a bona fide sale,

(ii) The giving of any refund, credit, exchange, discount, gift or allowance for or in connection with the sale of bakery products, except such discounts as are based upon quantities, cash payment, or reasonable customer classification, and are openly published and equally available to all who qualify, or

(iii) The resumption of possession or acceptance of the return of bakery products in excess of an average of one percent of gross sales during any calendar month; and

(2) To limit inventories of each type of flour to a quantity not in excess of that required for 60 days' production, such inventories to include all flour on hand, in store wherever located, or in transit.

(b) In order to provide information for use in reporting to Congress, each wholesale baker of such products will report his compliance with this voluntary plan to the Secretary of Agriculture each month.

(c) This plan will be effective from the date of its formal approval by the Secretary of Agriculture through February 28, 1949, as authorized under Public Law 395.

(d) In the event that this plan is supported by a preponderant majority of the baking industry, the United States Department of Agriculture will seek the

voluntary and supporting cooperation of grocers, restaurants, bakery salesmen's unions, and chain store bakers.

All persons who desire to submit written data, facts, or arguments for consideration in connection with the above proposed voluntary plan shall file the same, in duplicate, with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 10th day after publication of this notice in the FEDERAL REGISTER.

Issued this 29th day of February 1948.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-1893; Filed, Mar. 3, 1948; 8:59 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 155]

INSPECTION OF CANNED SHRIMP

NOTICE OF PROPOSED RULES

Notice is hereby given that the Federal Security Administrator, in accordance with the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act (49 Stat. 871; 21 U. S. C., Sup. 372a) and of section 4 of the Administrative Procedure Act (60 Stat. 238-239), hereby affords an opportunity to all interested persons to submit their views in writing to the Federal Security Administrator, Federal Security Building, Independence Avenue and Fourth Street, SW., Washington, D. C., within a period of 30 days from the publication hereof in the FEDERAL REGISTER, upon the Administrator's proposals to amend the regulations for the inspection of canned shrimp published in the FEDERAL REGISTER of July 2, 1942 (7 F. R. 4945), as amended in the FEDERAL REGISTER of June 10, 1943 (8 F. R. 7751), June 15, 1944 (9 F. R. 6583), June 30, 1945 (10 F. R. 7971), October 13, 1945 (10 F. R. 12800), June 1, 1946 (11 F. R. 5904), May 23, 1947 (12 F. R. 3318-19), and November 1, 1947 (12 F. R. 7108) as follows:

1. In § 155.12 (b), by adding at the end of the first sentence thereof the following: "; except that the Commissioner of Food and Drugs may require the full amount of advance deposits prescribed for an initial inspection period by this paragraph to accompany the application of an applicant who has defaulted in payment of any advance deposit due in a prior packing season."

2. In § 155.12 (c), by changing this paragraph to read as follows:

(c) A separate fee shall be paid to cover all expenses, incurred in accordance with the regulations of the Government, for salary, travel, subsistence, and other purposes incident to inspection for the purpose of issuing a certificate or warehousing or export permit on canned shrimp stored or held at any place other

than an establishment to which a seafood inspector is then assigned.

Dated: February 27, 1948.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 48-1906; Filed, Mar. 3, 1948; 8:56 a. m.]

[21 CFR, Part 155]

INSPECTION OF CANNED OYSTERS

NOTICE OF PROPOSED RULES

Notice is hereby given that the Federal Security Administrator, in accordance with the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act (49 Stat. 871; 21 U. S. C., Sup. 372a) and of section 4 of the Administrative Procedure Act (60 Stat. 238-239), hereby affords an opportunity to all interested persons to submit their views in writing to the Federal Security Administrator, Federal Security Building, Independence Avenue and Fourth Street SW., Washington, D. C., within a period of 30 days from the publication hereof in the FEDERAL REGISTER, upon the Administrator's proposals to amend the regulations for the inspection of canned oysters published in the FEDERAL REGISTER of January 4, 1944 (9 F. R. 56), as amended in the FEDERAL REGISTER of February 2, 1944 (9 F. R. 1203), June 15, 1944 (9 F. R. 6584), October 21, 1944 (9 F. R. 12675), June 30, 1945 (10 F. R. 7971), October 13, 1945 (10 F. R. 12800), October 23, 1946 (11 F. R. 12379), and May 23, 1947 (12 F. R. 3318) as follows:

1. In § 155.42 (b), by adding at the end of the first sentence thereof the following: "; except that the Commissioner of Food and Drugs may require the full amount of advance deposits prescribed for an initial inspection period by this paragraph to accompany the application of an applicant who has defaulted in payment of any advance deposit due in a prior packing season."

2. In § 155.42 (b), by inserting between the first and second sentences thereof the following: "Whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been damaged by wind, fire, flood, or other calamity, to such an extent that packing operations cannot be resumed before the end of the fiscal year then current, no advance monthly deposits falling due after such calamity will be required from the operator of such establishment for that fiscal year; but whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been so damaged by any such calamity that packing operations must be suspended temporarily, and can be resumed before the end of the fiscal year then current, payment of the advance monthly deposits falling due after such calamity and before the month of resumption of operations shall be postponed until operations are re-

sumed and thereupon shall be paid in equal monthly installments during the period between the time of resumption of operations and June 1 of the fiscal year then current: *Provided*, That in the event of a determination described in this sentence the total deposits made by the operator involved shall be charged with the cost of the service made available for the establishment, without regard to the method provided hereinafter for computing charges against deposits,

and the balance of the total deposits remaining after such charges shall be returned by the Administration to the operator of the establishment after the completion of the fiscal year."

3. In § 155.42 (c), by changing this paragraph to read as follows:

(c) A separate fee shall be paid to cover all expenses, incurred in accordance with the regulations of the Government, for salary, travel, subsistence,

and other purposes incident to inspection for the purpose of issuing a certificate or warehousing or export permit on canned oysters stored or held at any place other than an establishment to which a seafood inspector is then assigned.

Dated: February 27, 1948.

[SEAL]

OSCAR R. EWING,
Administrator.

[F. R. Doc. 48-1907; Filed, Mar. 3, 1948;
8:56 a. m.]

NOTICES

DEPARTMENT OF THE ARMY

COPPER BASE ALLOY SCRAP

SALE BY DEPARTMENT OF THE ARMY OF CERTAIN TYPES

NOTE: This notice supersedes notice published in the FEDERAL REGISTER of June 25, 1947, at page 4121.

(a) *Sale of certain types of copper base alloy scrap.* The Department of the Army has available, for sale to the public, limited quantities of the types of copper base alloy scrap referred to in paragraph (b) below. These types of copper base alloy scrap are "strategic and critical materials" under the provisions of the Strategic and Critical Materials Stock Piling Act (Public Law 520, 79th Congress) and are available to meet the requirements of industry as provided for in that act.

(b) *Types of copper base alloy scrap covered by this notice.* This notice is applicable only to copper base alloy scrap of the following types:

(1) Cartridge brass ingots, slabs, discs, bars, partly or completely manufactured ammunition cases (new or demilitarized), fired cases or remelt ingot.

(2) Gilding metal mill forms or remelt ingot.

(c) *Recommendations to the Department of the Army by the Office of Materials Distribution, Department of Commerce, as to the sale of these materials.* In making sales to the public of the types of copper base alloy scrap described in paragraph (b) above, the Department of the Army will, in compliance with Amendment 2 to Regulation 17 of the War Assets Administration (dated May 12, 1947, 12 F. R. 3221), be guided by the recommendations made to it by the Office of Materials Distribution, Department of Commerce, as to the buyers and quantities in order to best satisfy the industrial deficiencies determined by that agency pursuant to section 6 (a) of Public Law 520, 79th Congress (60 Stat. 596). The Offices of Materials Distribution, Department of Commerce, has recommended to the Department of the Army that such sales be made on the basis set out in paragraph (e) below.

(d) *How to make application to purchase copper base alloy scrap.* Any person wishing to purchase copper base alloy scrap under this notice, and eligible under the conditions of paragraph (e) below, may apply directly to the appropriate post, camp, or station salvage

officer and request invitations to bid on future offerings of copper base alloy scrap.

(e) *Sales conditions.* In order to best satisfy the industrial deficiencies of copper base alloy scrap, material covered by this notice is to be made available only for current domestic consumption. Consequently, sales under this notice will be made on the following conditions:

(1) Bidders will be eligible only if offering to buy for (i) their own current consumption in this country, or (ii) resale for such consumption by others. (For this purpose, "current consumption" means consumption, by remelting, within ninety (90) days after shipment by the Department of the Army to, or on the order of, the successful bidder.)

(2) Bidders will furnish, with their bids, certificates to the effect that quantities bid on are required to enable them to meet current requirements for purposes stated in subparagraph (1) above.

(3) Final awards will be subject to the performance bond provision of paragraph (f) below.

(f) *Performance bonds.* Upon final award, each successful bidder will be required to pay (1) the balance due on each accepted bid, and (2) an additional deposit equal to ten percent (10%) of that bid. The ten percent (10%) deposit will be retained as a performance bond to assure compliance with the consumption conditions of paragraph (e) above. No such deposit will be returned unless, within one hundred twenty (120) days after shipment by the Department of the Army, the successful bidder supplies the contracting officer with a notarized certification of proper consumption of the entire quantity covered by the deposit. Such a certification must be obtained from each ultimate consumer and must state that the material he acquired through the purchase covered by the deposit has been used for his current consumption in this country by remelting. Failure to present the required certification, in acceptable form, shall deprive the successful bidder of his right to recover the performance bond deposit involved.

Where special conditions arise after sale, the contracting officer may, in his discretion, grant a limited extension of time to complete consumption and to present the required certification. Such extension will be considered only upon written application and explanation by the ultimate consumer (accompanied by

the written consent of the successful bidder, if he is not the ultimate consumer).

Section 35 (a) of the United States Criminal Code, 18 U. S. C. 80, makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

(g) *Exceptions.* The conditions set out in paragraph (e) above do not apply to the following types of sales:

(1) Sales of any lot or lots of copper base alloy scrap of the types described in paragraph (b) above where the gross weight of all the lots available at any one location at any one time does not exceed 50,000 pounds. Lots may not be subdivided for the purpose of making sales under this exception.

(2) Sales of scrap located outside the 48 States of the United States and the District of Columbia.

(3) Sales by Reconstruction Finance Corporation, for and on behalf of the owning agencies, of any lots of scrap which, under War Assets Administration Regulation 17, the owning agencies are required to report to the Reconstruction Finance Corporation.

(4) Sales of contractor inventory if the owning agency has not taken possession of such inventory.

[CSGSP/D3, Feb. 24, 1948] (Sec. 6 (a), Pub. Law 520, 79th Cong., 60 Stat. 596)

[SEAL]

EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-1891; Filed, Mar. 3, 1948;
8:59 a. m.]

DEPARTMENT OF THE NAVY

[No. 9 (b)]

HEAVY CRUISERS, CA, 122 CLASS

NAVIGATION LIGHTS

Certificate of the Secretary of the Navy under the act of 3 December 1945 (Pub. Law 239, 79th Cong.).

Whereas, the act of December 3, 1945 (Pub. Law 239, 79th Cong.) provides that any requirement as to the number, position, range of visibility or arc of visibility of navigation lights, required to be displayed by naval vessels under acts of Congress, as enumerated in said act of December 3, 1945, shall not apply to any vessel of the Navy where the Secretary of the Navy shall find or certify

that, by reason of special construction, it is not possible with respect to such vessel or class of vessels to comply with statutory requirements as to the number, position, range of visibility or arc of visibility of navigation lights; and

Whereas, a study of the arrangement and position of the navigation lights of that type of naval vessels known as Heavy Cruisers, CA, 122 Class, has been made in the Navy Department and, as a result of such study, it has been determined that because of their special construction it is not possible for Heavy Cruisers, CA, 122 Class, to comply with the requirements of the statutes enumerated in said act of December 3, 1945;

Now, therefore, I, John L. Sullivan, Secretary of the Navy, as a result of the aforesaid study do hereby find and certify that the type of naval vessels known as Heavy Cruisers, CA 122 Class, are naval vessels of special construction and that on such vessels, with respect to the position of the additional white light (commonly termed the range light), it is not possible to comply with the requirements of the statutes enumerated in the act of December 3, 1945. Further, I do find and certify that it is feasible to locate the said additional white light (commonly termed the range light), if such light is installed, forward of the masthead light in such position that the said additional white light and the masthead light shall be in line with the keel and the after light shall be at least fifteen feet higher than the forward light and the vertical distance between the two lights shall be less than the horizontal distance. I further direct that the aforesaid additional white light, if such light is installed, shall be located in the manner above described and I further certify that such location constitutes compliance as closely with the applicable statutes as I hereby find to be feasible.

Dated at Washington, D. C., this 19th day of February A. D. 1948.

JOHN L. SULLIVAN,
Secretary of the Navy.

[F. R. Doc. 48-1831; Filed, Mar. 3, 1948;
8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[2027749]

MINNESOTA

NOTICE OF FILING OF PLAT OF SURVEY OF AN ISLAND IN BAD MEDICINE LAKE, MINNESOTA, ACCEPTED JUNE 12, 1945

FEBRUARY 26, 1948.

Notice is given that the plat of survey of an island in Bad Medicine Lake, Minnesota, which was not included in the original survey of the township, although shown in outline of the official township plat approved April 18, 1874, including lands hereinafter described will be officially filed in this Bureau effective at 10 a. m. on April 29, 1948.

BECKER COUNTY

5TH PRINCIPAL MERIDIAN

T. 142 N., R. 37 W.,
Sec. 5, lot 7,
Sec. 8, lot 3.

The area described aggregates 1.36 acres.

All of the lands involved are within the limits of the White Earth Indian Reservation established pursuant to the act of March 19, 1867 (16 Stat. 719).

All inquiries relating to this notice should be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

FRED W. JOHNSON,
Director.

[F. R. Doc. 48-1877; Filed, Mar. 3, 1948;
8:58 a. m.]

[1959272]

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY ACCEPTED MARCH 10, 1947

FEBRUARY 26, 1948.

Notice is given that the plat of survey of a portion of the township of lands hereinafter described will be officially filed in the District Land Office, Anchorage, Alaska, effective at 10:00 a. m. on April 29, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 29, 1948, to July 28, 1948, inclusive, the public lands affected by this notice shall be subject to (1) application under the homestead laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 632a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 10, 1948, to April 29, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 29, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 29, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from July 10, 1948, to July 29, 1948, inclusive, and all such applications, together with those presented at 10:00

a. m. on July 29, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 65 and 66 of Title 43 of the Code of Federal Regulations and applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Anchorage, Alaska.

The lands affected by this notice are described as follows:

COPPER RIVER MERIDIAN

T. 6 N., R. 1 E.,
Sec. 17, lots 1 to 5 inclusive, NW¼NW¼,
SW¼NW¼;
Sec. 18, lots 1 to 14 inclusive, NW¼NE¼,
NE¼NW¼.

The area described aggregates 603.42 acres.

These lands are subject to the withdrawal for highway purposes made by Public Land Order No. 383 of July 31, 1947.

According to the returns of the survey, the settlement claim of Arne Sundt, Anchorage 010331, occupies portions of these lands.

The character of the lands involved is practically level and has a deep soil, supporting a fair growth of grass with a scattering stand of spruce, cottonwood, alder and other native vegetation.

FRED W. JOHNSON,
Director.

[F. R. Doc. 48-1879; Filed, Mar. 3, 1948;
8:59 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2390 et al.]

TRANS-PACIFIC AIRLINES, LTD., AND TRANS-AIR HAWAII, LTD.; INTRA-TERRITORIAL SERVICE IN HAWAII

NOTICE OF HEARING

In the matter of the applications of Trans-Pacific Airlines, Ltd., and Trans-Air Hawaii, Ltd., for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing the establishment of new air transportation services of persons, property, and mail within the territory of Hawaii.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amend-

ed, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on March 15, 1948, at 10:00 a. m. (Hawaiian standard time), in the Federal Court Room, Federal Building, Honolulu, T. H., before Examiner Thomas L. Wrenn.

Without limiting the scope of the issues presented by the parties to this proceeding, particular attention will be directed to the following matters and questions:

1. Whether the proposed routes are required by the public convenience and necessity.

2. Whether the applicants are citizens of the United States and are fit, willing, and able to perform the service for which they are applying and to conform to the provisions of the act and the rules, regulations, and requirements of the Board promulgated thereunder.

3. If the public convenience and necessity require such service, which carrier or carriers can best perform the service.

Notice is further given that any person desiring to be heard in opposition to an application consolidated in this proceeding must file with the Board, on or before March 15, 1948, a statement setting forth the issues of fact or law which he desires to controvert.

For further details of the service proposed and authorizations requested, interested parties are referred to the applications on file with the Civil Aeronautics Board.

Dated at Washington, D. C., February 27, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-1901; Filed, Mar. 3, 1948;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

WLBG, Inc.

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on February 4, 1948 there was filed with it an application (BTC-618) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of WLBG, Inc., permittee of WLBG, Laurens, South Carolina from L. C. Barksdale, H. D. Gray, L. G. Balle, W. C. Barksdale, E. D. Easterby, R. H. Roper, C. P. Roper and R. L. Easley to J. C. Todd, Laurens, South Carolina. The proposal to transfer control arises out of contracts of December 22, 1947 between the above-named selling stockholders and J. C. Todd pursuant to which said selling stockholders propose to sell all their 800 shares of the common voting stock of WLBG, Inc. for \$8,000 in cash to be paid upon Commission approval of the application. Under arrangements the purchaser of the stock

¹ Section 1.321, Part I, Rules of Practice and Procedure.

has agreed to loan sufficient funds to WLBG to pay for construction and he agrees to be liable for obligations which have arisen since the negotiations between the parties commenced. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on February 4, 1948 that starting on said date notice of the filing of the application would be inserted in the "Laurens Advertiser", a newspaper of general circulation at Laurens, South Carolina in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application until after April 15, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-1913; Filed, Mar. 3, 1948;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Project Nos. 96, 178, 382]

PACIFIC GAS AND ELECTRIC CO. AND
SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF ORDERS DETERMINING NET CHANGES IN ACTUAL LEGITIMATE INVEST- MENT AND PRESCRIBING ACCOUNTING THEREFOR

FEBRUARY 27, 1948.

In the matters of Pacific Gas and Electric Company, Project No. 96, Pacific Gas and Electric Company, Project No. 178, Southern California Edison Company, Project No. 382.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its orders entered February 24, 1948, in the above-designated matters, determining net changes in actual legitimate investment and prescribing accounting therefor.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1876; Filed, Mar. 3, 1948;
8:46 a. m.]

[Project No. 459]

UNION ELECTRIC CO. OF MISSOURI

NOTICE OF ORDER DETERMINING ACTUAL LEGITIMATE ORIGINAL COST (AND NET CHANGES THEREIN) AND PRESCRIBING AC- COUNTING THEREFOR

MARCH 1, 1948.

Notice is hereby given that, on February 27, 1948, the Federal Power Commis-

sion issued its order entered February 26, 1948, in the above-designated matter, determining the actual legitimate original cost (and net changes therein) and prescribing accounting therefor.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1904; Filed, Mar. 3, 1948;
8:49 a. m.]

[Docket Nos. G-950, G-957]

UNITED GAS PIPE LINE CO. AND MOUNTAIN
FUEL SUPPLY CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 27, 1948.

Notice is hereby given that, on February 25, 1948, the Federal Power Commission issued its findings and orders entered February 24, 1948, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1875; Filed, Mar. 3, 1948;
8:46 a. m.]

[Docket No. G-995]

GAS TRANSPORT, INC.

NOTICE OF APPLICATION

FEBRUARY 26, 1948.

Notice is hereby given that on February 12, 1948, Gas Transport, Inc. (applicant), a Delaware corporation, having its principal place of business at Lancaster, Ohio, filed an application¹ for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition, construction and operation of the following described natural-gas transmission facilities, subject to the jurisdiction of the Commission.

Applicant proposes to acquire from Columbian Carbon Company (Columbian Carbon) and operate approximately 2,449 feet of 10-inch pipeline, and approximately 14,971 feet of 6-inch pipeline, extending in a southerly direction from the southern terminus near New Era, West Virginia, of applicant's presently existing 14-inch pipeline.

Applicant proposes to construct and operate approximately 12 miles of 6-inch pipeline extending in a southwesterly direction from the terminus of the above-mentioned 6-inch pipeline to be acquired from Columbian Carbon to a point on the boundary line between Mason and Jackson Counties, West Virginia, together with necessary appurtenant facilities.

Applicant recites that it is a wholly owned subsidiary of Anchor Hocking Glass Corporation (Anchor Hocking), which company uses natural gas in man-

¹ On February 2, 1948, applicant filed an application for a temporary certificate of public convenience and necessity, pending the filing of the instant application.

manufacturing glassware at its plants in Lancaster, Ohio. Applicant further states that since March 1947, except for the month of July 1947, the total deliveries of natural gas available to Anchor Hocking have been less than the latter's requirements. Applicant declares that by contract between the parties, Columbian Carbon has dedicated to Anchor Hocking all its gas leases in more than 11,000 acres located in Mason and Jackson Counties, West Virginia. The application states that Applicant will transport such natural gas purchased by Anchor Hocking from Columbian Carbon (or in the alternative applicant may purchase this gas from Columbian Carbon and resell the gas to Anchor Hocking) through the proposed facilities and then through Applicant's existing 14-inch pipeline to the connection with the pipeline of Ohio Fuel Gas Company (Ohio Fuel) at Gravel Bank, Ohio, for redelivery by Ohio Fuel to Anchor Hocking at Lancaster, Ohio.

Anchor Hocking has contracted to purchase up to 6,000 Mcf of natural gas per day from the dedicated acreage. Applicant estimates an initial delivery of 2,450 Mcf per day will be available from the drilling program now under way.

Applicant states it will continue the charge of 3 cents per Mcf (as provided in its Rate Schedule) for the transportation of this additional gas for Anchor Hocking. Applicant states that to the extent any such natural gas is not required by Anchor Hocking, such excess gas will be sold to Ohio Fuel pursuant to applicant's filed Rate Schedule.

Applicant estimates the total over-all cost of the facilities is \$148,066, of which \$18,000 is the purchase price of the facilities to be acquired from Columbian Carbon. Applicant states that the total cost will be paid out of its own resources.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Gas Transport, Inc., is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 18, 1947) (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1870; Filed, Mar. 3, 1948; 8:46 a. m.]

[Docket No. ID-1035]

EDWARD G. TWOHEY

NOTICE OF AUTHORIZATION

FEBRUARY 27, 1948.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its order entered February 24, 1948, in the above-designated matter, authorizing Edward G. Twohey to hold certain position in Gardner Electric Light Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1872; Filed, Mar. 3, 1948; 8:46 a. m.]

[Project No. 1759]

WISCONSIN MICHIGAN POWER CO.

NOTICE OF ORDER FURTHER MODIFYING JUNE 25, 1946 ORDER AUTHORIZING ISSUANCE OF LICENSE (MAJOR)

FEBRUARY 27, 1948.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its order entered February 24, 1948, further modifying the order of June 25, 1946, authorizing issuance of license (major) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1871; Filed, Mar. 3, 1948; 8:46 a. m.]

[Docket No. E-6111]

COMMUNITY PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

FEBRUARY 27, 1948.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its order entered February 26, 1948, authorizing issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1873; Filed, Mar. 3, 1948; 8:46 a. m.]

CONNECTICUT POWER CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS

FEBRUARY 27, 1948.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its order entered February 26, 1948, approving and directing disposition of amounts classified in Account 107, Electric Plant Adjustments in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1874; Filed, Mar. 3, 1948; 8:46 a. m.]

UNION ELECTRIC CO. OF MISSOURI

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNT 100.5 ELECTRIC PLANT ACQUISITION ADJUSTMENTS, AND ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS

MARCH 1, 1948.

Notice is hereby given that, on February 26, 1948, the Federal Power Commission issued its order entered February 26, 1948, approving and directing disposition of amounts classified in Account 100.5, Electric Plant Acquisition Adjustments, and Account 107, Electric Plant Adjustments in the above designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1905; Filed, Mar. 3, 1948; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. to Special Directive 6]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 6 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 6, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Brock & National	18	-----
Byrne 2	1	-----
Christopher 2 and 3	3	-----
East & Merryman	5	-----
Jamison 11	4	-----
LaBelle—Old LaBelle	-----	3
Love 4	2	-----
Martin 2	2	-----
Mon-Ark 5	4	-----
Poland	5	-----
Purselove 2	25	-----
Rosedale 1 and 2, Mon.	8	-----
Whiteley	15	-----
Rose	2	-----
Cathy-Luxnor	8	-----

A copy of this amendment shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 26th day of February A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,

Director,
Bureau of Service.

[F. R. Doc. 48-1896; Filed, Mar. 3, 1948; 8:55 a. m.]

[S. O. 790, Amdt. 4 to Special Directive 30]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 30 (12 F. R. 8782), under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 30, be, and it is hereby amended by substituting Appendix A hereof for Appendix A thereof.

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 26th day of February A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,

HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Mine:	Weekly number of cars
Century No. 1	29
Lawbar No. 1	12
Lawbar No. 1	12
Roberta No. 2	12
Tuckahoe	25
Rex	3
Volga	12
Lona No. 1	23
Shamrock	8
Kane	14
Berryburg No. 1	6
Woodford No. 1	19
Woodford No. 2	41
Woodyard	12
Crystal Ice Tipple	12
Webster No. 1	198
Galloway No. 2	12
Galloway No. 3	12
Caln 3 and 4	22
Wendel No. 2	14
Wendel No. 4	19
Hebb	12
Glen Cambria	12
Pepper	12
Johnson No. 5	123
Columbia	12
Clare	14
Daft	85
Bailey No. 3	4
Halfway	23
Renwick	12
McWhorter	6
Eagle No. 2	14
Vincent No. 4	30
Oral Lake	8
Paris	17
Bridgeport	5
Elk Hill	23
Willard No. 1	12
Fairmore	6
Chieftain	14
Carol No. 2	30
Lewis	8
Hilltop No. 1	17
Hilltop No. 2	5
Sandor	23
Ridge Nos. 1 and 3	
Jenkins	
Kingmont	
Kingmont Jr.	
Colfax	
Jamison No. 9	

Mine—Continued

Consol No. 25	875
Consol No. 32	
Consol No. 38	
Consol No. 63	
Consol No. 97	
Consol No. 50-A	
Blaine	
Seaboard No. 1	
Meadowbrook Nos. 1 and 2	
Ehlen No. 2	
Scott No. 2	23
Riley	6
Robert	17
Haywood	6
Gypsy	12
Lambert Run	4
Cliff	7
O'Donnell	70
McCandlish	23
Katherine	
Pepper	
Gregory No. 3	
Penn No. 1	
Penn No. 2	
Piggott	257
Michael No. 1	
Linda No. 1	
Millford No. 1	
Quinn	
Alpha	
Dawson	58
Laura Lee	10
Corona	23
Linda No. 1	10
Keeley No. 1	140
Keeley No. 2	
Tasa No. 7	
Tasa No. 9	76
Goff	
McCanns Run	
Good Hope	10
Byron	
Mitchell (Dicks)	25
Cleghorn	
Ralph	12
Hull Number 1	10
Queen	12
Ella	10
Adrian	10
Norton	31
Silvester	9
Williams Number 1	6
Jon Tee	6
Bower	23
Martha	4
Spedel	12
Bradley (Spedel)	9
Willow Grove Number 10	49
Boggs Run	
Yanosik	
Balog	15
Godaway	
Alexander	
Valley Camp Number 1	120
Valley Camp Number 3	
Valley Camp Number 5	
Baline Number 3—Stanley Num-	
ber 4	88
Barton	47
Roberts (Godoway Number 2)	18
Norton Number 2	81
Camel Run	23
Virginia Hill	
Junior—Liberty	34
Rice Bros. Number 1	45
June Number 1	
Latrobe	18
Iles	9
Orell	
Minder	10
McFarlin	
F. W. Hoffman C. Co. (Duch Bros.—	
Belga)	4
Bruns (Henry)	9
Morgan	7
Thorn Hill	6
Giblaw	7
Cenci	8

Weekly
number
of cars

Mine—Continued

Sidwell	
Barnes Bros.—Bristol	79
Tracy-Walton—(Giblaw)	
Pike	
Eagle (Pa)	42
Canyon	23
Gilmore	2
Tunnel	
Little Run	23
Cornish	
Lockview	15
Winstead (Smith Number 4)	15
Colebank (Arnold Number 100)	12
Carter	14
White Bridge Number 1	1
Shaw Big Vein Numbers 1 and 2	5
Fuel Number 3	3
Keystone Number 3	8
Ponfeigh Number 6	
Ponfeigh-Pine Hill	12
Kimberly	4
Scurfield	15
Consol 119	
Consol 120	8
Jerome Numbers 1, 2, and 3	8
Wildwood	7
Tasa Number 8	12
James	6
Shillinger	1
Rossiter	28
Yatesboro Number 5	
Helvetia	
Ernest	
Lucerne	
Kent Numbers 1 and 2	
Kent Numbers 3 and 4	
Sagamore	
Mostrove	
Lumsted	
McWilliams Number 4	
Summit Numbers 5 and 6 (Reesman-Good)	233
Frances	
Klingensmith	
Park	
Garzonie	
Two Lick	
Neal (Hamilton)	
Stratiff Number 8	
Black Diamond	
Beech Tree Numbers 1 and 2	
Julian Number 1	240
North Breeze	12
Black Fork (Buckeye)	10
Waterloo	
Power	
Todd	
Kinnison	
Kriebel	
Irish Ridge	42
Reed	
W&H (McKitterick)	
Jisco	
Collins & Walton	
Souders & Ramsey	
Walton	

Weekly
number
of cars

[F. R. Doc. 48-1897; Filed, Mar. 3, 1948;
8:55 a. m.]

[S. O. 790, Special Directive 41-A]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO VACATE ORDER TO FURNISH
CARS FOR RAILWAY COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 41 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., February 24, 1948.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 24th day of February A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-1898; Filed, Mar. 3, 1948;
9:00 a. m.]

[S. O. 790, Special Directive 42-A]
PENNSYLVANIA RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH
CARS FOR RAILWAY COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 42 under Service Order No. 790 be, and it is hereby vacated effective 12:01 a. m., February 25, 1948.

A copy of this special directive shall be served upon The Pennsylvania Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 25th day of February A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-1899; Filed, Mar. 3, 1948;
9:00 a. m.]

[S. O. 790, Special Directive 57]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

By letter dated February 24, 1948, the Pennsylvania-Reading Seashore Lines certified that it had on that date in storage and in cars a total supply of less than 16 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

(1) To furnish daily to The Baltimore and Ohio Railroad Company mines (consolidation Numbers 25, 32, 38, 62) a total of 6 cars for the loading of Pennsylvania-Reading Seashore Lines fuel coal from

its total available supply of cars suitable for the transportation of coal.

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mines.

(3) That it shall not accept billing on cars furnished for loading under the provisions of this directive unless billed for Pennsylvania-Reading Seashore Lines fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 26th day of February A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-1900; Filed, Mar. 3, 1948;
9:00 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1012]

ALLIS-CHALMERS MANUFACTURING CO.

FINDINGS AND ORDER GRANTING PERMISSION
TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of February A. D. 1948.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, Without Par Value, of Allis-Chalmers Manufacturing Company, 1126 South 70th Street, West Allis 14, Wisconsin.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the Chicago Stock Exchange and New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Los Angeles Stock Exchange is the States of California and Arizona; that out of a total of 2,515,442 shares outstanding, 239,010 shares are owned by 2,761 shareholders in the vicinity of the Los Angeles Stock Exchange; and that in the vicinity of the

Los Angeles Stock Exchange there were 1,429 transactions involving 100,686 shares from August 1, 1946 to July 31, 1947;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, Without Par Value, of Allis-Chalmers Manufacturing Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-1896; Filed, Mar. 3, 1948;
8:47 a. m.]

[File No. 70-1695]

GERALD L. SCHLESSMAN

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1948.

Gerald L. Schlessman, an affiliate of certain public utility companies within the meaning of section 2 (a) (11) (A) of the Public Utility Holding Company Act of 1935, having filed an application and an amendment thereto pursuant to sections 9 (a) (2) and 10 of the act with respect to the acquisition from certain named parties of 31,041 shares of common stock of Mountain Utilities Corporation, a public utility company, said shares constituting the entire amount of such common stock outstanding other than the shares now held by applicant and his immediate family; and

The Commission having given notice of said filing in the form and manner prescribed by Rule U-23 promulgated under said act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicant having requested that the Commission's order herein become effective upon the issuance thereof, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted:

It is ordered, Effective forthwith, pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said application, as amended, be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1882; Filed, Mar. 3, 1948;
8:47 a. m.]

[File No. 70-1714]

WISCONSIN POWER AND LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 27th day of February A. D. 1948.

Wisconsin Power and Light Company ("Wisconsin"), a public utility subsidiary of North West Utilities Company, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder with respect to, among other things, the issue and sale by Wisconsin of \$3,000,000 principal amount of First Mortgage Bonds, Series B, ----%, due January 1, 1978; and

The Commission having by order dated February 17, 1948, granted said application, as amended, subject to the condition that the proposed issuance and sale of bonds shall not be consummated until a further order of the Public Service Commission of Wisconsin expressly authorizing the issue and sale of said bonds be filed herein and the results of competitive bidding with respect to said bonds pursuant to Rule U-50 shall have been made a matter of record, and a further order shall have been entered by this Commission in the light of the record so completed; and

Wisconsin having on February 27, 1948, filed a further amendment to said application containing an order of the Public Service Commission of Wisconsin expressly authorizing the issue and sale of said bonds and further stating that it has offered the bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Name of bidder	Price to company (percent of principal amount) ¹	Interest rate	Cost to company
	Percent	Percent	Percent
Halsey, Stuart & Co., Inc.	102.01	3½	3.023
Lehman Brothers and Bear, Stearns & Co.	101.461	3½	3.05
Salomon Bros. & Hutzler	101.311	3½	3.058
Blyth & Co., Inc.	101.31	3½	3.058
Wheelock & Cummings, Inc.	101.0913	3½	3.069
Glore, Forgan & Co. and Hariman Ripley & Co., Inc.	101.0637	3½	3.07
Shields & Co.	101.0539	3½	3.071
Harris, Hall & Co. (Inc.)	100.9099	3½	3.078
White, Weld & Co.	100.901	3½	3.079
The First Boston Corp.	100.779	3½	3.085

¹ Plus accrued interest from Jan. 1, 1948.

The amendment further stating that Wisconsin has accepted the bid of Halsey, Stuart & Co. Inc., for the First Mortgage Bonds as set forth above, and that the said bonds will be offered for sale to the public at a price of 102.46% of principal amount thereof plus accrued interest, resulting in an underwriting spread of 0.45% of the principal amount of the bonds; and

The Commission having examined said amendment and having considered the record herein and finding that the applicable standards of the act and the rules and regulations thereunder have been complied with, and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, or the underwriter's spread and the allocation thereof:

It is hereby ordered, That jurisdiction heretofore reserved in connection with the issue and sale of said First Mortgage Bonds be, and the same hereby is, released, and the said application, as further amended, be, and the same hereby is, granted, and that the proposed transaction may be consummated forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1885; Filed, Mar. 3, 1948;
8:47 a. m.]

[File No. 70-1730]

UNION PRODUCING CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 26th day of February A. D., 1948.

Union Producing Company ("Union") a wholly owned non-utility subsidiary of United Gas Corporation, a gas utility subsidiary of Electric Power & Light Corporation, which is a registered holding company subsidiary of Electric Bond and Share Company, itself a registered holding company, having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a) and 10 with respect to the following transaction:

Union, as lessee, is the owner of an oil, gas, and mineral lease granted by Jumonville Pipe and Machinery Company, Inc. ("Jumonville"), as lessor, on June 10, 1947, covering various lands in the Parishes of Iberville and Ascension, in the State of Louisiana. In this connection a disagreement between Union and Jumonville has arisen concerning the amounts that must be paid by Union to maintain such lease in effect without drilling operations.

Union proposes to loan \$25,000 to Jumonville. Such loan will be evidenced by a 6% mortgage note dated as of the date of delivery; will mature consecutively in three equal annual installments; and will be secured by a mortgage on

real property owned by Jumonville and with respect to which real property Union presently holds substantial leasehold rights under the lease described above. In addition, as a part of the proposed transaction, the disagreement with respect to the amounts payable by Union to Jumonville under the lease dated June 10, 1947 will be resolved in Union's favor.

The application-declaration having been filed on January 23, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration that the proposed transactions comply with the applicable standards of the act, and the Commission observing no basis for adverse findings under section 10 (b) or 10 (c) (1), and deeming it appropriate that said application-declaration be granted and permitted to become effective, and also deeming it appropriate to grant the request of applicant-declarant that the Order become effective at the earliest date possible:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed by Rule U-24 that said application-declaration be and the same hereby is granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1883; Filed, Mar. 3, 1948;
8:47 a. m.]

[File No. 70-1732]

NORTH AMERICAN CO. AND UNION ELECTRIC CO. OF MISSOURI

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 27th day of February 1948.

Union Electric Company of Missouri ("Union"), a registered holding company and a public utility company and a subsidiary of The North American Company, and The North American Company ("North American"), also a registered holding company, having filed a joint application-declaration and amendments thereto pursuant to sections 6 (a), 6 (b), 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 ("the act") and the rules and regulations promulgated thereunder regarding the following proposed transactions.

Union proposes to reduce its common capital by \$2,500,000 and to create capital surplus of that amount by reducing the aggregate stated capital represented by its outstanding common stock, without par value, from \$62,500,000 to \$60,-

000,000, and, upon such proposed reduction becoming effective, to issue and sell to North American (which presently owns all outstanding common stock of Union) 100,000 additional shares of common stock, without par value, of Union at the price of \$50 per share; and North American proposes to acquire said shares of common stock of Union.

Union states that it desires to create such capital surplus in order to provide for the disposition of a portion of Union's original cost adjustments in accordance with proposals made by Union to the Federal Power Commission and the Public Service Commission of Missouri. The companies further represent that they desire to effect the purchase and sale of the additional common stock of Union in order to provide Union with additional funds toward defraying the costs of its construction program and that of its wholly owned subsidiary, Union Electric Power Company.

Applicants-declarants further state that the Public Service Commission of Missouri has certain jurisdiction over the proposed sale and purchase of the additional common stock of Union and that the Federal Power Commission and the Public Service Commission of Missouri each have certain jurisdiction over authorization of accounting entries and approval of original cost for accounting purposes. In this connection, the applicants-declarants have represented to this Commission that the Public Service Commission of Missouri has approved the proposal providing for the elimination from property and plant account of the entire original cost adjustment aggregating \$10,309,835.35, including the proposed charge of \$2,500,000 to the capital surplus account to be created.

Applicants-declarants having requested that this Commission's order with respect to the transactions proposed be issued by February 27, 1948, at the latest; and

Said application-declaration having been filed on January 29, 1948, and amendments thereto having been filed on February 10, 18 and 20, 1948 and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration, within the period specified or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that adverse findings are not necessary under the applicable sections of the act and the rules thereunder with respect to the proposed transactions and deeming it appropriate in the public interest and in the interests of investors and consumers to grant and permit to become effective the said application-declaration, as amended, and deeming it appropriate to grant the request of applicants-declarants that the order become effective not later than February 27, 1948:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that said joint application-declaration, as amended, be, and the same hereby is,

granted and permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1889; Filed, Mar. 3, 1948;
8:48 a. m.]

[File No. 70-1739]

NORTH AMERICAN CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 20th day of February A. D. 1948.

The North American Company, a registered holding company, having filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding a proposal to distribute in partial liquidation, on April 1, 1948, to its holders of common stock of record on March 2, 1948, shares of common stock of Potomac Electric Power Company having a par value of \$10.00 per share, owned by The North American Company, at the rate of three shares of the common stock of Potomac Electric Power Company for each 100 shares held of common stock of The North American Company; no certificates will be issued for fractions of shares of stock of Potomac Electric Power Company, but in lieu thereof cash will be paid at the rate of \$12.625 per share of Potomac Electric Power Company stock, this rate being based upon the approximate market price at the close of the market on February 6, 1948; The North American Company has requested that the order of the Commission permitting the declaration to become effective conform to the requirements of Supplement R of Chapter 1 and section 1803 (f) of Chapter 11 of the Internal Revenue Code, as amended; and

Said declaration having been filed on February 9, 1948 and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said declaration within the time specified in such notice, or otherwise, and not having ordered a hearing; and

The North American Company having requested that the Commission issue its order on or before February 20, 1948; and

The Commission finding that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors to permit said declaration to become effective and to grant the request for acceleration and for appropriate tax recitals:

It is hereby ordered pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that

said declaration be and the same is hereby permitted to become effective forthwith.

It is further ordered and recited and the Commission finds that the proposed distribution on April 1, 1948, of the shares of Potomac Electric Power Company common stock (out of Certificates Nos. TNCU 20, TNCU 1816, TWCU 94 to 99, inclusive, TWCU 101 and TWC 102) by The North American Company through the transfer and distribution of such shares to its stockholders, all as authorized or permitted by this order, is necessary or appropriate to the integration or simplification of the holding company system of which The North American Company is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1888; Filed, Mar. 3, 1948;
8:48 a. m.]

[File No. 70-1743]

MIDDLE WEST CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 27th day of February A. D. 1948.

Notice is hereby given that The Middle West Corporation ("Middle West"), a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"). Said application-declaration designates sections 6, 7, 9, 10, and 12 of the act and Rule U-43 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 10, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, N. W., Washington 25, D. C. At any time after March 10, 1948 said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

The application-declaration states that Middle West Utilities Company of Can-

ada Limited ("Utilities-Limited"), a holding company subsidiary of Middle West organized under the laws of the Dominion of Canada and heretofore granted exemption from the provisions of the Act which would require it to register as a holding company and from certain provisions of the act applicable to it as a subsidiary of Middle West (see basic exemption order, Holding Company Act Release No. 1554), has changed and reclassified its authorized capital stock by Supplementary Letters Patent, dated January 12, 1948, from 56,600 shares of \$7 cumulative preference stock, \$100 par value per share, and 500,000 shares of common stock without par value, of which 6,600 shares and 392,010 shares, respectively, are outstanding, to 438,730 shares of common stock without par value.

Middle West, as the owner of all of the outstanding capital stock of Utilities-Limited, representing paid-up capital of \$3,796,080, proposes to exchange such shares of preference and common stocks for 330,740 shares of common stock of Utilities-Limited having a stated value of \$3,796,080 which, after consummation of the proposed transactions, will constitute all of the issued and outstanding capital stock of Utilities-Limited.

Middle West requests that the Commission's order granting and permitting to become effective said application-declaration be issued as soon as practicable and become effective forthwith upon issuance.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1884; Filed, Mar. 3, 1948;
8:47 a. m.]

[File No. 812-532]

FROBISHER LTD.

NOTICE OF APPLICATION, STATEMENT OF ISSUES AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of February A. D. 1948.

Notice is hereby given that Frobisher Limited (applicant) a company incorporated under the laws of the Province of Ontario, Canada, has filed an application, as supplemented, under section 3 (b) (2) of the Investment Company Act of 1940 for an order adjudging it to be excepted from the definition of an investment company contained in said act on the ground that it is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly or (A) through majority-owned subsidiaries or (B) through controlled companies conducting similar types of businesses, namely, that it is primarily engaged in the business of mining exploration, development and mining in Canada and elsewhere.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application

which is on file in the offices of the Commission at 425 Second Street NW., Washington 25, D. C.

The Corporation Finance Division has advised the Commission that upon a preliminary examination of the application, as supplemented, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination.

(1) Whether applicant is an investment company within the definition contained in section 3 (a) of the act, and

(2) Whether applicant is primarily engaged in the business of mining exploration, development and mining so as not to be engaged primarily in the business of investing, reinvesting, owning, holding or trading in securities.

It appearing to the Commission that hearing upon the application is necessary and appropriate;

It is ordered, Pursuant to section 40 (a) of said act that a public hearing of the aforesaid application be held on March 15, 1948 at 9:45 a. m., eastern standard time in Room 101 of the offices of the Commission, 425 Second Street NW., Washington 25, D. C.

It is further ordered, That Robert P. Reeder or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-named applicant and to any other person or persons whose participation in such proceedings may be necessary or appropriate in the public interest or for the protection of investors. Any person desiring to be heard in said proceeding should file with the hearing officer or the Secretary of the Commission, on or before March 11, 1948, his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above matters or issues he deems raised by the aforesaid application.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-1887; Filed, Mar. 3, 1948;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 7874, Amdt.]

GENERAL ANILINE & FILM CORP. AND I. G. FARBEINDUSTRIE A. G.

In re: Dividends on stock of General Aniline & Film Corporation, beneficially owned by I. G. Farbenindustrie A. G.

Vesting Order 7874, dated October 14, 1946, is hereby amended as follows and not otherwise:

By deleting subparagraphs 3 and 4 therefrom and substituting therefor the following:

3. Finding that all property, including the aforesaid \$108,750.00, in the account of Banque Federale S. A., Zurich, Switzerland, with Bankers Trust Company was transferred to an account in the name of Banque Federale S. A., Zurich, Switzerland, with The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, that thereafter all but \$100,147.17 thereof was transferred to another account with The Chase National Bank of the City of New York in the name of Union Bank of Switzerland, Zurich, Switzerland, with which last named bank Banque Federale S. A. had, prior thereto, been consolidated or merged, and that thereafter \$108,750.00 was transferred from the last named account to another account with The Chase National Bank of the City of New York in the name of Union Bank of Switzerland, Blocked Germany and Switzerland, Zurich, Switzerland;

4. Finding, therefore, that the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of \$108,750.00 arising out of an account entitled Union Bank of Switzerland, Blocked Germany and Switzerland, Zurich, Switzerland, maintained at aforesaid The Chase National Bank of the City of New York, and any and all rights to demand, enforce and collect the same;

represents dividends declared and paid on the stock described in subparagraph 1 hereof between June 14, 1941 and February 16, 1942, and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, I. G. Farbenindustrie A. G., the aforesaid national of a designated enemy country (Germany).

All other provisions of said Vesting Order 7874 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1933; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10629]

LOUISE C. PFAFF

In re: Trust u/w Louise C. Pfaff, deceased. File No. D-28-2339; E. T. sec. 3084.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gerard H. Pfaff, whose last known address is Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the trust under will of Louise C. Pfaff, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Boston Safe Deposit and Trust Company, as Executor and Trustee, acting under the judicial supervision of the Middlesex County Probate Court, East Cambridge, Massachusetts;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1914; Filed, Mar. 3, 1948;
8:49 a. m.]

[Vesting Order 10648]

CURT LANGENBECK

In re: Stock owned by Curt Langenbeck. F-28-23425-A-1, F-28-23425-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Curt Langenbeck, whose last known address is 13B-Munchen 38, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Thirty (30) shares of \$1.00 par value capital stock of North American

Aviation, Inc., 5701 Imperial Highway, Inglewood, California, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered TNYO 8167, registered in the name of Curt Langenbeck, and presently in the custody of Spencer Trask & Co., 25 Broad Street, New York, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1915; Filed, Mar. 3, 1948;
8:49 a. m.]

[Vesting Order 10659]

JOHN BAERNREUTHER

In re: Estate of John Baernreuther, deceased. File No. D-28-10342; E. T. sec. 14725.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John Taut and Klara Hering, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Margaret Taut, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of

them, in to the estate of John Baernreuther, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Roy A. Erickson and Lillie M. Wahlberg, as co-executors, acting under the judicial supervision of the Probate Court of the County of Ramsey, Minnesota;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Margaret Taut, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1916; Filed, Mar. 3, 1948;
8:50 a. m.]

[Vesting Order 10669]

LUDWINA BECK

In re: Stock owned by Ludwina Beck. F-28-2765-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwina Beck, whose last known address is Polsehnor Street, Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Twenty (20) shares of Class A capital stock of Alton-Germania Building and Loan Association, 617 East Broadway, Alton, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificate number 7313, registered in the name of Ludwina Beck, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

dence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1917; Filed, Mar. 3, 1948;
8:50 a. m.]

[Vesting Order 10676]

ATOW MATSUOKA AND U. FUJITA

In re: Statue owned by Atow Matsuoka and U. Fujita also known as Ukichi Fujita.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Atow Matsuoka and U. Fujita also known as Ukichi Fujita, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: One carved stone statue of "Kannon", being in height thirty-seven (37) inches and weighing approximately ninety-five (95) pounds, designated as Stone Figure of Avalokitesvara Six Dynasty (Wei Tartar) 544 A. D., said statue contained in inner case and trunk, and presently in the custody of American Trust Company, 464 California Street, San Francisco, California, together with the aforesaid case and trunk,

subject, however, to any and all accrued but unpaid fees of the American Trust Company for storage, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Atow Matsuoka and U. Fujita also known as Ukichi Fujita, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not

within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1918; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10690]

AUGUSTA B. AVERALL

In re: Estate of Augusta B. Averall, deceased. File No. D-28-11583, E. T. sec. 15793.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Werres, and Clemens Werres, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the widow and children, names unknown, of Frederick Werres, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Augusta B. Averall, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Miss Iris Bueno, as executrix, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York; and it is hereby determined:

5. That to the extent that the persons identified in subparagraphs 1 and 2 hereof, and the widow and children, names unknown, of Frederick Werres, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1919; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10699]

ANNA FOX

In re: Estate of Anna Fox, deceased. File No. D-28-12082; E. T. sec. 16295.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Fuchs, Elizabeth Fuchs Knab, Adam Mann, Johannes Mann, Lottehen (Lottchen) Heinaman and Anna Bickert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Anna Fox, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Ernest E. Key, as administrator, acting under the judicial supervision of the Probate Court of Shelby County, Missouri;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1920; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10705]

DORA MEYER

In re: Rights of Dora Meyer under insurance contract. File No. D-28-3381-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dora Meyer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. M2 040 537, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Anna Essers, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1921; Filed, Mar. 3, 1948;
9:13 a. m.]

No. 44—4

[Vesting Order 10711]

KATHERINE TIMMERMAN

In re: Estate of Katherine Timmerman, deceased. File No. D-28-11000; E. T. sec. 15387.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Schlanghauser, Katharina Schlanghauser, Katharina Erich, Georg Schlanghauser, and Anna Karg, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the Estate of Katherine Timmerman, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Leo A. Neubauer and Mrs. Emma Sentker, as Administrators, acting under the judicial supervision of the Surrogate's Court of Schoharie County, State of New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1922; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10712]

JOSEPH WALDBAUER

In re: Estate of Joseph Waldbauer, deceased. D-28-10656; E. T. sec. 15008.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mariane Sicklinger, Erna Sicklinger, Emma Sicklinger, Frankziska

Waldbauer, Franz X. Waldbauer, Johann Evang. Waldbauer, Maria Waldbauer, Rosa Waldbauer, Ludwig Waldbauer, Berta Waldbauer, Xaver Waldbauer, Joseph Waldbauer, Maria Keller, Anna Bogner, Resi Tischler, Fanny Bauer, and George Waldbauer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Max Waldbauer, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Joseph Waldbauer, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany).

4. That such property is in the process of administration by Max F. Zache, as Executor, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1923; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10714]

KATHIE BECK ASAM

In re: Stock owned by Kathie Beck Asam. F-28-28558-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kathie Beck Asam, whose last known address is 169 1/2 Augsburg Str., Aichach/bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Twenty (20) shares of Class A capital stock of Alton-Germania Building and Loan Association, 617 East Broadway, Alton, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificate number 7312, registered in the name of Kathie Beck Asam, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1924; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10716]

FRIEDERIKE BECKER

In re: Bank account owned by Friederike Becker. F-28-25586-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friederike Becker, whose last known address is Buchholz, near Blankenstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Friederike Becker, by Mississippi Valley Trust Company, 225 North Broadway Street, St. Louis 2, Missouri, arising out of a current account, entitled Friederike Becker, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account

of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1925; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10717]

LISSY CLAUSSEN

In re: Bank account owned by Lissy Claussen. F-28-22622-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lissy Claussen, whose last known address is Wakendorf, Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Lissy Claussen, by The Martin County National Bank of Fairmont, 105 Lake Avenue, Fairmont, Minnesota, arising out of a Checking Account, entitled Lissy Claussen, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1926; Filed, Mar. 3, 1948;
8:52 a. m.]

[Vesting Order 10718]

HAARMANN & REIMER

In re: Debt owing to Haarmann & Reimer. F-28-8246-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Haarmann & Reimer, the last known address of which is Holzminden, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Holzminden, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Haarmann & Reimer, by van Ameringen-Haebler, Inc., 315 Fourth Avenue, New York 10, N. Y., in the amount of \$1,102.00, as of April 10, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1927; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10719]

HARADA SHOJI KABRUSHIKI, LTD.

In re: Debt owing to Harada Shoji Kabrushiki, Ltd. F-39-5857-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Harada Shoji Kabrushiki, Ltd., the last known address of which is 3 Andozi, Bashi, Dori, Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Osaka, Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Harada Shoji Kabrushiki, Ltd., by The Ruberoid Co., 500 Fifth Avenue, New York, New York, in the amount of \$147.57, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1928; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10720]

OTTO KEIL ET AL.

In re: Bank accounts owned by Otto Keil, Richard Keil, Konrad Schubert and Liddy Hoyer. F-28-28205-C-1, F-28-28708-C-1, F-28-28710-C-1, F-28-28707-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Keil, Richard Keil, Konrad Schubert and Liddy Hoyer, whose last known addresses are Germany are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a Savings Account, entitled A. R. Schubert, trustee for Otto Keil, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a Savings Account, entitled A. R. Schubert, trustee for Richard Keil, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a Savings Account, entitled A. R. Schubert, trustee for Konrad Schubert, and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation of The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a Savings Account, entitled A. R. Schubert, trustee for Liddy Hoyer, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Otto Keil, Richard Keil, Konrad Schubert and Liddy Hoyer, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States

requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1929; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10722]

HEINRICH KARL KOBER

In re: Bank account owned by Heinrich Karl Kober. F-28-6838-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Karl Kober, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, account number 6164, entitled Helen R. Kober, Trustee for Heinrich Karl Kober, maintained at the branch office of the aforesaid bank located at 1799 Solano Avenue, Berkeley 6, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Heinrich Karl Kober, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property

described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1930; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10769]

ELSA AUERBACH

In re: Estate of Elsa Auerbach, deceased. File D-28-12093; E. T. sec. 16281.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helen Muller, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Elsa Auerbach, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by H. Bogart Seaman, as administrator, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1932; Filed, Mar. 3, 1948;
8:53 a. m.]

[Vesting Order 10628]

CLARA BERTHA NEWMAN ET AL.

In re: Estate of Clara Bertha Newman, deceased; Newman vs. Frey; Newman vs. Lockhart. File No. D-28-10090; E. T. sec. 14352.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Martha Kuehne, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows is payable or deliverable to or claimed by the aforesaid nationals of a designated enemy country (Germany);

(a) All right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Clara Bertha Newman, deceased, which property is in the process of administration by the Clerk of the Probate Court of Pulaski County, Arkansas, as Depositary, acting under the judicial supervision of the Probate Court of Pulaski County, Arkansas;

(b) All right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the proceeds of the sale of real estate in the proceeding titled Henry Newman vs. Clara Helen Habig Frey, et al, which property is in the process of administration by the Clerk of Pulaski Chancery Court, Arkansas, as Depositary, acting under the judicial supervision of Pulaski Chancery Court, Arkansas;

(c) All right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the proceeds of a judgment in the case of Henry Newman et al. vs. C. E. Lockhart, which property is in the process of administration by the Clerk of Pulaski Circuit Court, Arkansas, as Depositary, acting under the judicial supervision of Pulaski Circuit Court, Arkansas;

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Martha Kuehne, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1847; Filed, Mar. 2, 1948;
8:52 a. m.]

[Vesting Order 10683]

MANZO YOSHIDA

In re: Bank account owned by Manzo Yoshida. F-39-6049-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Manzo Yoshida, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Manzo Yoshida, by Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 164479, entitled Manzo Yoshida, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1850; Filed, Mar. 2, 1948;
8:52 a. m.]